

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 20, 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

The Board delayed action on approving the minutes of June 13, 1995 until the Board's June 27th meeting.

REQUEST FOR SCHOOL CROSSING GUARD

Ashley Stanford, representing Carrboro Elementary School, requested funds for the additional school crossing guard at Carrboro Elementary School.

PUBLIC HEARING SET/LAND USE ORDINANCE TEXT AMENDMENT/TO ALLOW DEVIATION IN MINIMUM RIGHT-OF-WAY STANDARDS FOR RESIDENTIAL STREETS

The purpose of this item was to set a public hearing for August 15, 1995 to consider a land use ordinance text amendment which would reduce right-of-way requirements for minor, local and subcollector roads.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HANK ANDERSON THAT A PUBLIC HEARING BE SET FOR AUGUST 8, 1995. VOTE: AFFIRMATIVE ALL

A gentleman representing the Primrose Development, spoke in favor of the proposed text amendment.

Alderman Marshall requested that the advertisement for this public hearing contain a description of the different type roads.

PUBLIC HEARING/STREET CLOSING REQUEST/QUARTERPATH TRACE HOMEOWNERS' ASSOCIATION

Quarterpath Trace Homeowners' Association has submitted an application to close Roger Cook Circle, William White Court and the Roger Cooke Circle/ William White Court/Robert Hunt Drive intersection from 5:00 p.m. to 9:30 p.m. on Saturday, June 24th to accommodate a neighborhood pig-picking. Due to the proposed closing location on Robert Hunt Drive, Robert Hunt Drive would also be closed to "thru traffic" from the Robert Hunt Drive/Richard Dixon Court intersection to the Roger Cooke Circle/William White Court intersection and from the Robert Hunt Drive/Pathway Drive intersection to the Roger Cooke Circle/William White Court intersection.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Jacquelyn Gist..

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF
ROGER COOKE CIRCLE, WILLIAM WHITE COURT AND
A SECTION OF ROBERT HUNT DRIVE
TO ACCOMMODATE A NEIGHBORHOOD PIG-PICKING
Resolution No. 57/94-95

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following streets shall be temporarily closed on Saturday, June 24, 1995 during the specified time period (5:00 p.m. to 9:30 p.m.) to accommodate a neighborhood pig-picking. This event is to be

held in according with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code:

- a. **Roger Cooke Circle**
- b. **William White Court**
- c. **The intersection of Roger Cooke Circle and William White Court with Robert Hunt Drive**
- d. **Robert Hunt Drive from the Richard Dixon Court intersection to the intersection referenced in "c" above**
- e. **Robert Hunt Drive from the Pathway Drive intersection to the intersection referenced in "c" above**

Section 2. The town administration shall deliver appropriate traffic control devices to James Leloudis, event coordinator for the Quarterpath Trace Homeowners' Association, on Friday, June 23, 1995.

Section 3. The Public Works Department shall provide proper barricades/signage training to at least three (3) persons designated by the Quarterpath Trace Homeowners' Association.

Section 4. The applicant, Quarterpath Trace Homeowners' Association, shall be responsible for the installation and removal of the temporary traffic controls (barricades and signs) on the day of the closing and such traffic control devices shall be maintained at all times during the closing.

Section 5. No person may operate any vehicle contrary to the traffic control devices referred to in Section 3 of this section.

Section 6. The Quarterpath Trace Homeowners' Association shall not place anything within the roadway which would impede emergency response to residences on the streets referred to in Section 1 of this resolution.

Section 7. The Quarterpath Trace Homeowners' Association shall designate a person who will be on the scene throughout the street closing to speak to Police, Fire and EMS officers in the event of an emergency or for other problems; the name and address and telephone number of the designated persons shall be submitted to the Public Works Department by no later than June 22, 1995.

Section 8. Due to the narrow width of Robert Hunt Drive, parking restrictions currently in place for Robert Hunt Drive shall not be suspended for the street closing; this also applies to the area inside the barricades.

Section 9. The town administration shall place a portable dumpster at a location designated by James Leloudis, event coordinator of the Quarterpath Trace Homeowners' Association, on Friday, June 23, 1995.

Section 10. The applicant, Quarterpath Trace Homeowners' Association, shall be responsible for providing clean-up following the event.

Section 11. The applicant, Quarterpath Trace Homeowners' Association, shall be responsible for notifying Central Communications when the street is closed and when re-opened to vehicular traffic.

Section 12. 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 20th day of June, 1995:

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

Noes: None

Absent or Excused: None

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/ADDITION OF NEW CLASSIFICATION TO TABLE OF PERMISSIBLE USES/COPY CENTERS/PRINTING OPERATIONS

The purpose of this item was to receive citizens comments on a proposed amendment to the Land Use Ordinance to allow copy centers/printing operations in business, office and manufacturing zoning districts.

Lisa Bloom-Pruitt, the town's Senior Planner, explained the proposed amendment.

Drew Howell spoke in favor of the proposed amendment.

MOTION WAS MADE BY RANDY MARSHALL SECONDED BY MICHAEL NELSON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE ADDING A NEW LAND USE CLASSIFICATION TO ALLOW COPY CENTERS/PRINTING OPERATIONS IN BUSINESS, OFFICE, AND MANUFACTURING DISTRICTS." VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/ANNEXATION AGREEMENT AND REZONING

The purpose of this item was for the Board of Aldermen to hold a public hearing to consider the following:

- a. An agreement establishing an annexation boundary between Carrboro and Chapel Hill;
- b. An adjustment of the existing Extraterritorial Planning Jurisdiction (ETJ) line; and
- c. Zoning of the new areas placed in Carrboro's ETJ, if the annexation boundary agreement is approved.

Roy Williford, the town's Planning and Economic Development Director, explained the proposed amendment.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST TO APPROVE THE AGREEMENT ESTABLISHING AN ANNEXATION BOUNDARY AND ADJUSTING THE EXTRATERRITORIAL PLANNING JURISDICTION LINE BY AND BETWEEN THE TOWN OF CARRBORO AND THE TOWN OF CHAPEL HILL; AND AN ORDINANCE AMENDING THE CARRBORO ZONING MAP ZONING THE NEW AREAS PLACED IN CARRBORO'S EXTRATERRITORIAL PLANNING JURISDICTION IN ACCORDANCE WITH THE ANNEXATION BOUNDARY AGREEMENT, R-10 VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION ESTABLISHING PRINCIPLES
OF PROTECTION FOR ENTRANCEWAYS
Resolution No. 59/94-95**

WHEREAS, Chapel Hill and Carrboro have mutually entered into an agreement on establishing an annexation boundary line between the two Towns pursuant to Article 4A, Part 6 of G.S. Chapter 160A; and

WHEREAS, Chapel Hill and Carrboro recognize the value of protection of entranceways to preserve the community's character and beauty;

WHEREAS, Smith Level Road south of Ray Road serves as the boundary line for the University Lake Watershed and is important to the general health and welfare of the community and should remain in its present configuration.

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

Section 1. Each jurisdiction shall in the exercise of its land use, zoning, and police powers, adopt plans, policies and/or ordinances that will protect the visual character of Smith Level Road as a significant entranceway into the community, especially its views, vistas, and forested and open areas, without being required to get the approval of the other entity.

Section 2. Each jurisdiction agrees that Smith Level Road, because it is important to the general health and welfare of the community, should remain a two-lane road between Rock Haven Road and Starpoint in order to help protect its entranceway character and to serve as the boundary line for the University Lake Watershed. The jurisdictions will cooperate with each other in protecting this entranceway.

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 20th day of June, 1995

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

Noes: None

Absent or Excused: None

BOARD DELIBERATION AND ACTION ON PETITION FOR CHANGE OF ZONING FROM DONALD GODWIN

The purpose of this item was for the Board of Aldermen to deliberate and take action on a request for an amendment to the Orange County Zoning Atlas which incorporates a proposed change to the Town of Carrboro's Official Zoning Map .

Mayor Kinnaird entered into the record a letter received from the Highland Meadows Neighborhood Association speaking in support of the rezoning of the Walker property to R-20.

Lisa Bloom-Pruitt, the town's Senior Planner, presented the proposed amendment.

Mr. Walker, the property owner, stated that this 13 acres is the remaining land owned by the Walker estate.

Mayor Kinnaird noted that the Planning Board had a split vote on whether to recommend this rezoning.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY FRANCES SHETLEY TO ADOPT AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE ONE LOT (APPROXIMATELY 13.539 ACRES IN SIZE) LOCATED ON THE WEST SIDE OF ROGERS ROAD, NORTH OF TALLYHO TRAIL FROM R-4 (RURAL RESIDENTIAL MINIMUM 43,560 SQUARE FEET PER DWELLING UNIT) TO R-20 (RESIDENTIAL, MINIMUM 20,000 SQUARE FEET PER DWELLING UNIT) VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Hank Anderson and duly seconded by Alderman Frances Shetley.

**A RESOLUTION RECOMMENDING APPROVAL TO THE
ORANGE COUNTY BOARD OF COMMISSIONERS
OF AN AMENDMENT TO THE CARRBORO OFFICIAL ZONING MAP
AND THE ORANGE COUNTY ZONING ATLAS REZONING APPROXIMATELY 13.539 ACRES
COMPRISED OF ALL OF LOT 25, BLOCK C ON TAX MAP 23 IN THE CHAPEL HILL
TOWNSHIP;
WITHIN TRANSITION AREA I OF THE CARRBORO JOINT DEVELOPMENT REVIEW AREA.
Resolution No.58/94-95**

WHEREAS, Carrboro is party, along with Orange County and the Town of Chapel Hill, to a Joint Planning Agreement effective November 1987;

WHEREAS, a Joint Planning Area Land Use Plan and Map were prepared and adopted by all parties pursuant to the Joint Planning Agreement;

WHEREAS, according to the Agreement, requests to rezone lands located within Carrboro's Joint Development Review Area may only be acted upon following a Joint Public Hearing involving the governing boards from Carrboro and Orange County;

WHEREAS, a request to rezone from Carrboro R-R (Rural Residential, 43,560 sf minimum lot size/I unit per acre) to Carrboro R-20 (Residential, 20,000 sf minimum lot size/2. 1 units per acre) all of Lot 25 Block C on Tax Map 23 in the Chapel Hill Township located within Transition Area I of Carrboro's Joint Review Area and totaling approximately 13.539 acres has been received from Donald Keith (Godwin.,

WHEREAS, the property proposed for rezoning is categorized as Suburban Residential and defined as follows:

Suburban Residential Areas are designated for housing densities ranging from one (1) to five (5) dwelling units per acre. Such areas are located where land is changing from rural to urban, suitable for urban densities, and to be provided with public utilities and services. Housing types range from single family homes to duplexes to multi-family dwellings.

WHEREAS, both the current zoning of Carrboro R-R and the proposed zoning of Carrboro R-20 are consistent with the Suburban Residential Area designation in the Joint Planning Area Land Use Plan; and

WHEREAS, a Joint Public Hearing was held on May 31, 1995 to consider this rezoning.

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

Section 1. As shown on the accompanying map, Lot 25 in Block C on Tax Map 23 within the Chapel Hill Township is rezoned from Carrboro R-R (Rural Residential, 43,560 sf minimum lot size/1 unit per acre) to Carrboro R-20 (Residential, 20,000 sf minimum lot size/2. 1 units per acre). All property or portions of property specified are located within Transition Area I of the Carrboro Joint Development Review Area.

Section 2. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

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 20th day of June, 1995:

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

Noes: None

Absent or Excused: None

ACCESS TO CARR MILL MALL

Carr Mill and University Railroad have reached an agreement regarding the lease of parking spaces and access from Weaver/Main Street, but the railroad insists upon including its standard language giving it the right to cancel the lease upon 60 days' notice. Carr Mill Mall has requested the town's assurances regarding a right of access from Weaver Street. The Town Attorney has drafted a letter to Carr Mill for the Mayor's signature indicating that the town would not oppose Carr Mill having some form of access to and from Weaver Street. The purpose of this agenda item was for the Board to consider whether to authorize the Mayor to send the letter to Carr Mill.

Mayor Kinnaird stated that the town's Downtown Development had recommended that the Board authorize her to send the letter to Carr Mill.

Nathan Millian, representing Carr Mill Mall, stated that the problem arose when the new owners of Carr Mill sought re-financing and it was discovered that Carr Mill did not have a permanent easement from the railroad for the Weaver Street entrance.

MOTION WAS MADE BY MICHAEL NELSON AND SECONDED BY RANDY MARSHALL TO AUTHORIZE THE MAYOR TO SEND THE LETTER INDICATING THAT THE TOWN WOULD NOT OPPOSE CARR MILL HAVING SOME FORM OF ACCESS TO AND FROM WEAVER STREET. AND THAT TONIGHT'S MINUTES REFLECT THAT IT IS THE BOARD'S DESIRE TO MAKE THE WEAVER STREET ENTRANCE RIGHT IN AND RIGHT OUT ONLY. VOTE: AFFIRMATIVE ALL

REVISION OF "C" ROUTE SERVICE

Alex Zaffron, Chair of the Transportation Advisory Board, stated that the TAB has recommended that the Board of Aldermen approve a revised "C" Route as outlined in a letter from Chapel Hill Transit. The subject of concern was the nonexistence of bus service on NC 54 Bypass between Westbrook Drive and Abby Lane. The purpose of this report was to describe the current "C" route, present alternatives considered for the revision, and recommend the most beneficial route to the citizens of the aforementioned area.

Mr. Zaffron stated that the revised "C" route would be changed by diverting the current route from its current routing along Jones Ferry Road. Instead of operating along Jones Ferry Road and Main Street between Willow Creek Shopping Center and Chapel Hill, it would operate on the Bypass from Jones Ferry Road to Smith Level Road and take Merritt Mill Road to Cameron Avenue. Jones Ferry Road would be serviced by the "J" route.

Kenneth Withrow, the town's Transportation Planner, stated that Chapel Hill Transit had discussed adding additional trippers to serve the "J" route to compensate for the change in the "C" route.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY MICHAEL NELSON TO APPROVE THE REVISED "C" ROUTE. VOTE: AFFIRMATIVE ALL

AGREEMENT WITH CHAPEL HILL FOR COLLECTION OF TRANSPORTATION DATA

Kenneth Withrow, the town's Transportation Planner, stated that the local governments within the Triangle's two metropolitan planning organizations are funding and participating in a data collection effort to create housing and employment database. The 6-month project will include a complete inventory of housing and employment data in Wake, Durham, Orange and other contiguous counties within the region. The purpose of this agenda item was to explain the use of the data collection, how the data will provide information to Carrboro and the region, and request the Board adopt a budget amendment to allocate funds to the project.

MOTION WAS MADE BY MICHAEL NELSON AND SECONDED BY HANK ANDERSON TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO THE AGREEMENT WITH CHAPEL HILL, AND ADOPT AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY'94 BUDGET ORDINANCE" TO TRANSFER \$1,320 FROM THE CONTINGENCY FUND TO PROVIDE CARRBORO'S SHARE OF FUNDING FOR THIS AGREEMENT. VOTE: AFFIRMATIVE ALL

CONDITIONAL USE PERMIT MODIFICATION/FARMERS' MARKET

The purpose of this agenda item was to request an amendment to the conditional use permit for the Town Commons project. The request involves widening the proposed walkway to allow farmers to drive out onto the field and park. The additional parking is for vendors who will not be assigned a vendor space under the market structure, the bandstand or the trellises.

Mr. Morgan explained the proposed revision to the site plan for the Farmers' Market.

Alex Hitt, chair of the Chapel Hill-Carrboro Farmers' Markets, Inc., stated that the farmers would be paying up to \$2,900 for the improvements to the walkway/path through the grassed area connecting the ends of the market structures. Mr. Hitt stated that the new parking arrangement would give more harmony to the market and will free up parking spaces in the Town Hall parking lot for customer parking.

Gene Bernard, speaking for the neighbors, stated that the neighbors are satisfied with the proposed revision and expressed their approval of the installation of a fence which will provide a screen and noise barrier.

It was the consensus of the Board to delay action on this matter for one week in order to give the staff and market manager an opportunity to come up with a policy on parking on the grass area of the market.

Ellen Perry, a Bim Street resident, stated that she feels there will be parking problems on Bim Street

BUDGET AMENDMENT

The purpose of this item was to amend the 1994-95 budget to transfer funds from non-departmental accounts to the various departments for service level benefits and merit increases awarded during the fiscal year and for other items requiring amendments before the year's end.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY'94-95 BUDGET ORDINANCE," VOTE: AFFIRMATIVE ALL

SPECIAL MEETING SET FOR ASSEMBLY OF GOVERNMENTS MEETING - JUNE 29TH

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN TO SET A SPECIAL MEETING FOR JUNE 29, 1995 AT 4:00 P.M. AT THE LANDFILL IN ORDER TO PARTICIPATE IN THE ORANGE COUNTY ASSEMBLY OF GOVERNMENTS MEETING. VOTE: AFFIRMATIVE ALL

CHANGES OF ADDRESS

Mr. Morgan suggested that the Board consider sending out a letter to the affected property owners to inform them of the reason why the Town of Carrboro is requesting that the addresses be changed.

It was the consensus of the Board to request that the Town Manager prepare the letter for the Board's review.

ABSENCE OF TOWN ATTORNEY ON JUNE 27TH

Mike Brough informed the Board that he would be out of town for the June 27th Board Meeting.

REQUEST FOR TRAFFIC SIGNAL/LLOYD/MAIN STREET INTERSECTION

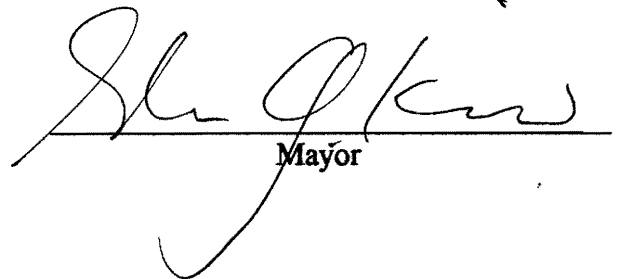
It was the consensus of the Board that the town staff once again request NCDOT to install a traffic signal at Lloyd Street.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY MICHAEL NELSON TO ADJOURN TO CLOSED SESSION AT 10:15 P.M. VOTE: AFFIRMATIVE ALL

COMPENSATION FOR TOWN MANAGER AND TOWN ATTORNEY

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST TO AWARD THE TOWN MANAGER A TWO AND ONE-HALF PERCENT COST-OF-LIVING INCREASE FOR FISCAL YEAR 1995-96. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY FRANCES SHETLEY THAT THE TOWN ATTORNEY'S SALARY BE SET AT \$65,515.00 FOR FISCAL YEAR 1995-96. VOTE: AFFIRMATIVE ALL



Mayor



Town Clerk