

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 12, 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 HANK ANDERSON TO APPROVE THE MINUTES OF SEPTEMBER 5, 1995. VOTE: AFFIRMATIVE ALL

PROCLAMATION ISSUED

Mayor Kinnaird read a proclamation proclaiming September 17-23 as Constitution Week in the Town of Carrboro.

RESOLUTION/PONY LEAGUE ALLSTARS

Mayor Kinnaird presented a resolution to the 1995 Pony League Allstars commending them as the 1995 All District Champions.

BIKE RACKS ON CITY BUSES

M.C. Russell stated that the NCDOT has allocated \$43,100 to the Town of Chapel Hill to provide bicycle racks on municipal buses. Mr. Russell stated that the Town of Chapel Hill has declined DOT's offer for the bus racks based on a number of reasons. Mr. Russell asked that the Town of Carrboro check into this matter to encourage the Town of Chapel Hill to install bicycle racks on the buses that run in Carrboro.

The Board requested that the town staff and the Transportation Advisory Board look into this matter.

PUBLIC HEARING/REVIEW OF TIME WARNER CABLE RATES

Time Warner Cable submitted to the Town of Carrboro Form 1210 which was dated May 25, 1995 and received by the Town on June 6, 1995. The purpose of this item was to receive public comment on Time Warner's new cable rates which rates the cost of basic service by \$.03, increases the rate of Tier II service by \$.25, and raises the rate for Tier III service by \$.03.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY MICHAEL NELSON TO AUTHORIZE THE MAYOR TO EXECUTE THE RATE ORDER. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

PUBLIC HEARING/STREET CLOSING REQUEST/CARRBORO DAY CELEBRATION

The Carrboro Day Planning Committee has submitted a Street Closing Permit Application for the temporary closing of Town Hall Drive and a portion of Laurel Avenue (from the Main Street/Laurel Avenue intersection to the third exit to the Swish Car Wash on Laurel Avenue) from 12:00 noon to 9:00 p.m. on Saturday, September 23, 1995 to accommodate Carrboro Day. This was a public hearing to receive public comment on this street closing request.

[No one wished to speak at the public hearing.]

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF TOWN HALL DRIVE AND LAUREL AVENUE TO ACCOMMODATE CARRBORO DAY

Resolution No. 6/95-96

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following street shall be temporarily closed on Saturday, September 23, 1995 during the specified time period (12:00 noon to 9:00 p.m.) to accommodate Carrboro Day. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code:

a. Laurel Avenue from the Main Street/Laurel Avenue intersection to the third exit to the Swish Car Wash on Laurel Avenue; and

b. Town Hall Drive

Section 2. The Public Works Department shall provide support for equipment set-up and dis-assembly and provide facility maintenance during the event.

Section 3. The Public Works Department shall provide and install temporary traffic control devices on the day of the closing (barricades, cones and signs).

Section 4. The Public Works Department shall provide a portable dumpster and roll-out containers for the collection of solid waste and recyclables generated by the event.

Section 5. The Police Department shall provide an officer(s) for security and shall notify Central Communications, on the event day, when the street is closed and when re-opened.

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 12th day of September, 1995:

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

Noes: None

Absent or Excused: None

WORKSESSION/REVIEW OF DRAFT SMALL AREA PLANNING WORK GROUP REPORT

John Rintoul, Chair of the Planning Board and Small Area Planning Work Group, thanked those involved in preparing the Small Area Plan for the Northern Transition Area. Mr. Rintoul presented the Small Area Plan for Carrboro's Northern Transition Study Area for the Board's review, discussion and comment.

M.C. Russell, a member of the Small Area Planning Work Group, presented maps showing the natural constraints, the recommended land use, proposed zoning, and the small area plan study area.

Gary Giles, a member of the Small Area Planning Work Group and a member of the UNC Land Use Planning Committee, presented a map of the proposed road changes for the Small Area Planning Work Group.

Mr. Rintoul suggested that community meetings such as the one's held at Homestead Community Center be held to meet with citizens in an open house forum to review and discuss the Small Area Plan.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDY MARSHALL TO REFER THE SMALL AREA PLANNING WORK GROUP REPORT TO THE TOWN'S ADVISORY BOARD'S, AND THAT THE AGENDA PLANNING COMMITTEE SCHEDULE A DATE FOR THE COMMUNITY MEETING. VOTE: AFFIRMATIVE ALL

**A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF TOWN HALL DRIVE
AND LAUREL AVENUE TO ACCOMMODATE CARRBORO DAY**

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REPORT ON ENFORCEMENT OF CONDITIONAL USE PERMITS AND TREE PROTECTION MEASURES

The Board of Aldermen has requested a report on the town's procedures for verifying a project's compliance with its conditional use permit and an overview of the enforcement alternatives which are available to the Zoning Division to ensure compliance. Keith Lankford, the town's Zoning Administrator, presented the report to the Board.

Alderman Gist requested that the town attorney look into placing a condition on conditional use permits stating that if developers/builders have done poor work in town that they could be denied their permit

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY MICHAEL NELSON THAT THE REPORT BE RECEIVED; THAT THE TOWN STAFF BE DIRECTED TO PROCEED WITH THE CLASSIFICATION OF VIOLATIONS OF LAND USE PERMIT PLANS, THEIR CONDITIONS AND SECTIONS OF THE LAND USE ORDINANCE WITH AN APPROPRIATE PENALTY STRUCTURE; THAT THE TOWN STAFF BE AUTHORIZED TO MAIL THE LETTER TO UTILITY COMPANIES REF. TREE PROTECTION WITH THE REQUEST THAT A MEETING BE ARRANGED TO DISCUSS THIS MATTER WITH THE UTILITY COMPANIES; THAT THE ZONING ADMINISTRATOR, PUBLIC WORKS DIRECTOR AND THE LANDSCAPING/GROUNDS SUPERVISOR EXPLORE THE POSSIBILITY OF HOLDING A WORKSHOP WITH DEVELOPERS TO DISCUSS TREE PROTECTION; THAT THE TOWN STAFF PREPARE A TEXT AMENDMENT TO ALLOW A SPECIAL EXCEPTION TO BE ISSUED ALONG FRONT SETBACKS IN ORDER TO SAVE SIGNIFICANT TREES WHERE THERE IS NO OTHER POSSIBLE ALTERNATIVE; AND THAT THE TOWN ATTORNEY PREPARE A REPORT ON THE POSSIBILITY OF MAKING COMPLIANCE A PART OF THE CONDITIONAL USE PERMIT PROCESS. VOTE: AFFIRMATIVE ALL

REQUEST FOR PROPOSALS FOR PAY AND CLASSIFICATION STUDY

The purpose of this item was for the Board of Aldermen to review and approve a Request for Proposals for the employee pay and classification study funded in the 1995-96 budget and to appoint two members of the Board of Aldermen to serve on a committee which will review proposals and recommend a pay study consultant.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST TO APPROVE THE REQUEST FOR PROPOSALS AND DIRECT STAFF TO PROCEED WITH THE SCHEDULE SET FORTH FOR COMPLETING THE PAY AND CLASSIFICATION STUDY. VOTE: AFFIRMATIVE ALL

Aldermen Marshall and Anderson volunteered to serve on the consultant selection committee.

SIGN FOR EXTENSION OF ROADS

The Board requested that the town staff change the language on signs indicating the "possible extension of roads" to indicate the "the road will be extended in the future".

RESPONSE TO COMPLAINT BY KENNETH HORNE

Alderman Marshall requested that the Town Manager respond in writing to Kenneth Horne, a resident of 103 Cobblestone Drive, concerning water run-off onto his property.

HOGAN FARM DEVELOPMENT

Alderman Gist requested that the town staff keep a close watch over the Hogan Farm development in light of the recent problems on that site.

ADVERTISEMENT FOR NEIGHBORHOOD FORUM

Alderman Bryan requested that the town staff proceed with the advertisement for the Neighborhood Forum.

REQUEST FOR CLOSED SESSION TO DISCUSS ACQUISITION OF PROPERTY

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION AT 10:35 P.M. TO DISCUSS ACQUISITION OF PROPERTY. VOTE: AFFIRMATIVE ALL

Carol C. Williamson
Town Clerk

Jim G. Marshall
Mayor