

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 24, 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 TO APPROVE THE MINUTES OF OCTOBER 17, 1995. VOTE: AFFIRMATIVE ALL

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**RESOLUTION SUPPORTING CONTINUED FUNDING FOR AMERICORPS TUTORING**

The following resolution was introduced by Alderman Hank Anderson and duly seconded by Alderman Michael Nelson.

**A RESOLUTION SUPPORTING CONTINUED FUNDING FOR AMERICORPS TUTORING**

Resolution No. 14/95-96

WHEREAS, the Americorps students provided intensive tutoring to the children in Carr Court during the 1994-95 school year; and

WHEREAS, the Americorps students provided a positive role-model to the children in Carr Court; and

WHEREAS, the Americorps students worked with the parents of the Carr Court children to work toward success in their academic work; and

WHEREAS, the Americorps students instill in the Carr Court children the incentive of working towards a goal, a sense of achievement and pride in accomplishment in school; and

WHEREAS, the loss of this program will seriously undermine and threaten the strides the Carr Court children have made to succeed academically; and

WHEREAS, the Carr Court children are directed toward a path away from crime and drugs through the program; and

WHEREAS, it costs \$80,000 to \$120,000 per year to house a prisoner, most of whom have a history of failure in school.

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

Section 1. The Carrboro Board of Aldermen invite our Congressional Representatives to visit and inform themselves about the Americorps tutoring program in Carr Court.

Section 2. The Board of Aldermen strongly urge our Congressional representatives to continue funding for the Americorps tutoring program in the 1995-96 budget.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted the 24th day of October, 1995:

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

Noes: None

Absent or Excused: None

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**PROCLAMATIONS ISSUED**

Mayor Kinnaird issued proclamations proclaiming October 28, 1995 as Make A Difference Day and October 24, 1995 as United Nations Day.

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**STORMWATER DAMAGE IN BARINGTON HILLS**

Richard Ellington, a resident of 109 Bruton Drive, requested that the Board consider what it can do such as a moratorium to determine whether or not the conditional use permit for the Newsome property was based on inaccurate or incomplete data. Mr. Ellington requested that the project be put on hold until this matter is investigated.

Alderman Gist requested that a status report be given to the Board at its meeting on November 14, 1995.

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**PUBLIC HEARING SET/REZONING OF BOLIN FOREST, PHASE I FROM R-15 AND R-SIR TO R-10**

Robert N. Anderson, Jr. has submitted a petition requesting the rezoning of Phase I, of the Bolin Forest Subdivision from R-SIR and R-15 to R-10. The administration requested that a public hearing be set for November 28, 1995 and that this request be referred to the Planning Board for its consideration.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HANK ANDERSON TO SET A PUBLIC HEARING FOR NOVEMBER 28, 1995. (MOTION WITHDRAWN)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY MICHAEL NELSON TO SET A PUBLIC HEARING FOR DECEMBER 12, 1995, AND THAT THIS MATTER BE REFERRED TO THE PLANNING BOARD AND CHAPEL HILL-CARRBORO CITY SCHOOLS FOR REVIEW AND COMMENTS. VOTE: AFFIRMATIVE ALL

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**PUBLIC HEARING SET/REZONING REQUESTS/UNITED CHURCH OF CHRIST HOUSING COMMITTEE/NEW COVENANT CHURCH OF CHAPEL HILL**

United Church of Christ Housing Committee/New Covenant Church of Chapel Hill and Scott Brunet have submitted petitions requesting the rezoning of property owned by United Church Board for Homeland Ministries described as 7.122.B.22 and property owned by Larry and Emma Atwater described as 7.122.B.18. The zoning classification for both properties is currently R-10. The request is to rezone the entire area R-3. The administration requested that a public hearing be set for November 14, 1995 and that this request be referred to the Planning Board for its consideration.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON TO SET A PUBLIC HEARING FOR NOVEMBER 14, 1995 AND THAT THIS MATTER BE REFERRED TO THE PLANNING BOARD, CHAPEL HILL-CARRBORO SCHOOL BOARD AND TRANSPORTATION ADVISORY BOARD FOR REVIEW AND COMMENT. VOTE: AFFIRMATIVE ALL

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**PUBLIC HEARING SET /VOLUNTARY ANNEXATION/WEXFORD SUBDIVISION, PHASE IV**

The Wexford Group, Inc. has submitted a petition requesting the annexation of Phase IV of the Wexford Subdivision. Phases I, II, and III have previously been annexed into the city limits. Phase IV contains 7.13 acres and 14 dwelling units. The administration requested that a public hearing be scheduled for November 14, 1995.

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

A RESOLUTION SETTING A PUBLIC HEARING TO  
CONSIDER THE ANNEXATION OF  
PHASE IV, WEXFORD SUBDIVISION  
UPON THE REQUEST OF THE PROPERTY OWNERS  
Resolution No. 13/95-96

WHEREAS, the Town of Carrboro has received a petition from the owners of Phase IV of the Wexford Subdivision requesting that their property be annexed to the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

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

Section 1. The Board of Aldermen shall hold a public hearing on November 14, 1995 to consider the voluntary annexation of this property.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in the Chapel Hill News at least ten (10) days prior to the date of the public hearing.

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 24th day of October, 1995:

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

Noes: None

Absent or Excused: None

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### DISCUSSION OF NORTHERN CONNECTOR ROAD THROUGH WEXFORD AND CATES FARM

The town staff presented a report on the extension of Stratford Drive to Cates Farm Road, including conclusions based on the modeling scenarios conducted for this area, as well as options for traffic control.

Roy Williford, Planning and Economic Development Director, presented an overhead of current and proposed connector roads running north/south from Hillsborough Road to Homestead Road. Mr. Williford presented the results of traffic counts in various areas around town, and the results of the traffic model. Mr. Williford stated that the administration recommended that the connection between Stratford Drive and Cates Farm Road be completed and that the following activities be undertaken:

1. Continue to monitor traffic on both Cates Farm Drive/Stratford Drive and Wyndham Drive, input actual traffic data into the model to fully validate the results from the traffic model.
2. Develop and implement traffic management measures as necessary to regulate average daily traffic count on North Stratford to not exceed 3,000 trips. Traffic management measures recommended by the TAB and adopted by the Board of Aldermen as part of an overall traffic management plan should include but not be limited to installing all-way stops at strategic intersections, constructing undulations, and other measures as deemed appropriate; and if reasonable traffic management measures fail be prepared to temporarily barricade connections between Wexford and Cates Farm until other connectors can be constructed.
3. Traffic speed should be closely monitored and enforced by the Police Department with traffic management measures taken to reduce speed if necessary.
4. The town should re-evaluate the arterial connector between Old 86 and Homestead Road for inclusion on the state Transportation Improvement program.

Alex Zaffron, Chair of the Transportation Advisory Board, stated that the TAB has studied this issue and has reviewed the town's recommendations and studied the traffic counts. Mr. Zaffron stated that the TAB recommended that the Board of Aldermen accept the staff's recommendation to complete the connection between Stratford Drive and Cates Farm Road as scheduled and as previously indicated on the conditional use permit; with the town staff's recommendations 1, 3 and 4,, and concurrent with the implementation of the following traffic control plan: (1) a four-way stop sign at Pathway Drive and Cates Farm Road, (2) a three-way stop sign at Cates Farm Road and Garden Gate, (3) a four-way stop sign at Rock Garden Road and Cates Farm Road, (4) a four-way stop sign at Autumn Drive and Cates Farm Road, (5) a four-way stop sign at Tramore Drive and Stratford Drive, (6) a two-way stop sign at the intersection of Autumn Drive and Stratford Drive; and (7) installation of undulations. The undulations are to be located as follows (1) two on Cates Farm Road, with one between Pathway Drive and Garden Gate, and one between Garden Gate and Autumn Drive; and (2) two

undulations on Stratford Drive to be located between Autumn Drive and Tramore. The undulations to be used as indicated in figure (cross-section) AA (as per the diagram of the arterial bump for improved streets, along with appropriate signage.

Mayor Kinnaird referenced letters from a resident of Cobblestone and Heidi Perry speaking in favor of the Stratford Drive connection.

David Rooks, representing Wexford, stated that until other north/south connectors are made, there will be tremendous amounts of traffic on Stratford Drive. Basically, Stratford Drive will be bearing the same amount of traffic as Hillsborough Road. Mr. Rooks requested that Stratford Drive be limited to emergency vehicles only using baffles until other north/south connectors are opened. Mr. Rooks expressed concern that 3,000 trips per day is a very large traffic load for Stratford Drive.

Susan Sommer, representing Cates Farm, stated her support for delaying the connection of Stratford Drive until other connectors are opened.

Allen Spalt, a resident of 300 James Street, stated that he feels strongly as a resident of an older neighborhood that the connector road policy is essential for the protection of older and newer neighborhoods. Mr. Spalt stated that he supports the extension of Stratford Drive with traffic control devices to keep vehicular speed and volume down.

MOTION WAS MADE BY MICHAEL NELSON TO APPROVE STAFF RECOMMENDATIONS 1,3,4 AND TEMPORARILY NOT CONNECT STRATFORD DRIVE (except for emergency access) UNTIL ONE ADDITIONAL NORTH/SOUTH CONNECTOR (COLLECTOR OR SUBCOLLECTOR) IS MADE, THAT SIGNS BE INSTALLED WITH LANGUAGE CLEARLY INDICATING THAT THIS ROAD WILL CONTINUE, THAT THE RESTRICTIVE COVENANT LANGUAGE AMENDMENT BE INVESTIGATED, AND THAT THIS ACTION DOES NOT IN ANY MANNER MEAN TO UNDERCUT THE TOWN'S CONNECTOR ROAD POLICY. (MOTION DIED FOR THE LACK OF A SECOND.)

Morgan stated that the police and fire chiefs have indicated that the barricade at the end of this street will have an impact on the emergency response time in the Wexford area.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL TO APPROVE THE CONNECTION BETWEEN STRATFORD DRIVE AND CATES FARM ROAD WITH THE FOLLOWING CONDITIONS:

- a. That the town staff continue to monitor the traffic on both Cates Farm Drive/Stratford Drive and Wyndham Drive and that the staff input actual traffic data into the model to fully validate the results from the traffic model.
- b. That the traffic speed be closely monitored and enforced by the Police Department with traffic management measures taken to reduce speed if necessary.
- c. That the town re-evaluate the arterial connector between Old 86 and Homestead Road for inclusion on the state transportation improvement program.
- d. That the following stop signs be installed: (1) a four-way stop sign at Pathway Drive and Cates Farm Road, (2) a three-way stop sign at Cates Farm Road and Garden Gate, (3) a four-way stop sign at Rock Garden Road and Cates Farm Road, (4) a four-way stop sign at Autumn Drive and Cates Farm Road, (5) a four-way stop sign at Tramore Drive and Stratford Drive, (6) a two-way stop sign at the intersection of Autumn Drive and Stratford Drive.
- e. That undulations be installed as follows (1) two on Cates Farm Road, with one between Pathway Drive and Garden Gate, and one between Garden Gate and Autumn Drive; and (2) two on Stratford Drive to be located between Autumn Drive and Tramore. The undulations shall be constructed in accordance with Figure A-A of the diagram for Arterial Bump for Improved Streets, with appropriate signage.

VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (NELSON, GIST, BRYAN)

Alderman Gist suggested that a public forum be held with affected communities to further discuss this matter at a later date.

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**REPORT ON RACIAL AND GENDER COMPOSITION OF CARRBORO TOWN STAFF**

Larry Gibson, Assistant Town Manager, presented a report summarizing the racial and gender composition of the Carrboro organization, as requested by the Board at its September 13, 1995 meeting..

The Board received the report and expressed its desire to improve the number of women employed in the Public Works and Fire Departments. Specifically, that the town staff contact the Town of Chapel Hill for additional measures Carrboro might employ to recruit female employees in the Fire Department.

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**RELEASE OF ECONOMIC DEVELOPMENT FUNDS TO TRIANGLE J COG**

The purpose of this item was for the Board of Aldermen to consider adopting a resolution releasing the town's share of economic development funds appropriated by the 1995 General Assembly to Triangle J Council of Governments.

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

**A RESOLUTION RELEASING \$965.68 IN ECONOMIC DEVELOPMENT FUNDS  
TO TRIANGLE J COUNCIL OF GOVERNMENTS  
Resolution No. 10/95-96**

WHEREAS, in North Carolina the Lead Regional Organizations, as voluntary organizations serving municipal and county governments, have established productive working relationships with the cities and counties across the state; and

WHEREAS, many counties and cities continue to need assistance in pursuing economic and community development opportunities, but federal assistance in the form of intergovernmental revenues has been severely curtailed in recent years; and

WHEREAS, the 1995 General Assembly recognized this need through the appropriation of \$864,270 to help the Lead Regional Organizations assist local governments with grant applications, economic development, community development, support of local industrial development and other activities as deemed appropriate by their local governments; and

WHEREAS, these funds are not intended to be used for payment of members' dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

WHEREAS, in the event that a request is not made by a unit of government for release of these funds to our Regional Council, the available funds will revert to the State's General Fund; and

WHEREAS, in Region J funds in the amount of \$48,015 will be used to carry out the economic development plan approved by the COG Board of Delegates and especially to improve the economy of the counties and towns of the Region by strengthening ties to and consequently benefits of the Research Triangle Park.

NOW, THEREFORE BE IT RESOLVED that the Town of Carrboro requests the release of its \$965.68 share of these funds to the Triangle J Council of Governments at the earliest possible time in accordance with the provisions of Chapter 324, House Bill 229, section 9.4 of the 1995 Session Laws.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 24th day of October, 1995:

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

Noes: None

Absent or Excused: None

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**CANCELLATION OF NOVEMBER 7TH BOARD MEETING**

The administration requested that the Board cancel its meeting scheduled for November 7th due to that being Election Day.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDY MARSHALL TO CANCEL THE NOVEMBER 7TH BOARD MEETING. VOTE: AFFIRMATIVE ALL

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**REPORT ON INCIDENTS IN DOWNTOWN AREA ON OCTOBER 21-22, 1995**

Chief Callahan presented a report to the Board concerning the incidents which occurred in the vicinity of South Greensboro Street and East Main Street during the evening of October 21st and the early morning of October 22nd which resulted in the shooting in this area and the injury of two persons and the arrest of a third person for assault with a deadly weapon. Chief Callahan stated that two dance clubs had opened in close proximity to each other with large crowds gathering outside these clubs and moving between the clubs until after 4:00 a.m. when the shooting occurred. Chief Callahan stated that the Police Department is currently using all available ordinances to deal with this situation and has asked the Town Attorney to investigate any other legal remedies which might be available.

Alderman Gist requested that businesses be encouraged to post signs prohibiting guns.

A UNC student representative spoke against the adoption of an open container law prior to holding a public hearing on the matter.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY TO ADOPT AN OPEN CONTAINER ORDINANCE (AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO PROHIBIT THE CONSUMPTION OF MALT BEVERAGES OR UNFORTIFIED WINE ON PUBLIC PROPERTY AND THE POSSESSION OF OPEN CONTAINERS OF MALT BEVERAGES OR UNFORTIFIED WINES ON PUBLIC PROPERTY") AND SET A PUBLIC HEARING FOR NOVEMBER 14, 1995. VOTE: AFFIRMATIVE ALL

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**MEETING WITH OWASA OFFICIALS**

Alderman Gist requested that the Town Manager coordinate setting up the meeting between she and Alderman Anderson and the OWASA officials to discuss OWASA-related items.

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**COMMITTEE TO SELECT WINTER DECORATIONS**

Aldermen Bryan and Marshall volunteered to serve on a committee to select winter decorations for the central business district.

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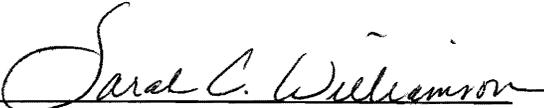
**TRAFFIC CONTROL OF HILLSBOROUGH ROAD AT JAMES STREET INTERSECTION**

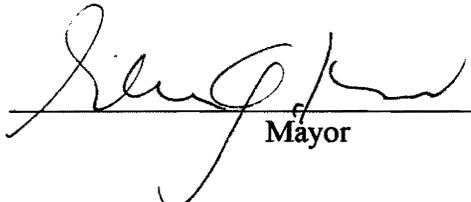
Alderman Shetley requested that the town staff investigate with NCDOT the possibility of installing signalization on Hillsborough Road at its intersection with James Street to warn motorists that children cross the street in that vicinity.

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MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON TO ADJOURN THE MEETING AT 11:20 P.M. VOTE: AFFIRMATIVE ALL

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Town Clerk

  
Mayor