

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 16, 1996 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Hank Anderson
	Jay Bryan
	Hilliard Caldwell
	Jacquelyn Gist
	Diana McDuffee
	Alex Zaffron
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 HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO APPROVE THE MINUTES OF APRIL 2, 1996. VOTE: AFFIRMATIVE ALL

APPOINTMENTS TO BOARDS

The Chair of the Appearance Commission/Neighborhood Preservation District Commission recommended that Carley Pardington be appointed to that commission. The Chair of the Cable T.V. Committee recommended that James Spivey be appointed to that committee.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO APPOINT CARLEY PARDINGTON TO THE APPEARANCE COMMISSION/NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION AND JAMES SPIVEY TO THE CABLE T.V. COMMITTEE. VOTE: AFFIRMATIVE ALL

CANCELLATION OF MAY 7TH BOARD MEETING

The administration recommended that the Board of Aldermen cancel its regular meeting scheduled for May 7, 1996 due to that being Primary Election Day.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO CANCEL THE MAY 7, 1996 BOARD MEETING. VOTE: AFFIRMATIVE ALL

LETTER TO TOWN OF ZEBULON

Alderman Caldwell requested that the town manager forward a letter to the manager of Zebulon letting them know our prayers and thoughts are with them as a result of the Monday, April 15th tornado damage.

PROCLAMATION ISSUED

Alderman Bryan read a proclamation proclaiming April 21-28, 1996 as the Week of the Young Child in the Town of Carrboro.

REQUEST FOR IMPROVEMENTS TO HILLSBOROUGH ROAD

Courtney Shepard, a resident of 424 Waterside, and Emily Summer, a resident of Cates Farm, requested that Hillsborough Road be improved to make it safer for children. Specifically, that bike lanes, sidewalks, crossing guards and cross walks be added. Courtney and Emily presented a safety brochure that will be distributed to the children at Carrboro Elementary School.

It was the consensus of the Board to refer this matter to the town staff to investigate with the request that a copy of the staff report be forwarded to Courtney and Emily.

Alderman Zaffron asked that a copy of the brochure be sent to NCDOT.

NATIONS BANK EXPANSION PROJECT

William Robinson, expressed concern about the planned expansion of Nations Bank. Specifically, Mr. Robinson expressed concern about the resulting traffic impact, destruction of the green space, and destruction of the existing house on the property.

Keith Lankford, the town's Zoning Administrator, stated that this expansion was a zoning permit and the request to expand was reviewed by the town's advisory boards. Mr. Lankford stated that the zoning permit has not yet been issued.

It was the consensus of the Board to request that the Zoning Administrator take into consideration Mr. Robinson's comments.

REPORT FROM SPECIAL COMMITTEE ON PUBLIC HOUSING

The Carrboro Mayor and Board of Aldermen received a copy of the Report on Findings and Recommendations from the Town of Chapel Hill's Special Committee on Public Housing and Related Needs. The Board requested that it receive a presentation on this report.

Representatives from the Town of Chapel Hill were unable to attend this meeting, therefore this matter will be rescheduled for a later date.

NO PARKING ALONG PATHWAY DRIVE AND CATES FARM ROAD

The Board of Aldermen considered an ordinance amending the Town Code prohibiting parking along Pathway Drive and Cates Farm Road weekdays between the hours of 7:00 - 9:00 a.m. and from 2:00 -6:30 p.m.

Alderman Anderson requested that the town staff meet with school officials to determine their safety needs for the area surrounding McDougle Middle and Elementary Schools.

MOTION WAS MADE BY ALEX ZAFFRON TO ADOPT AN ORDINANCE TO DESIGNATE NO PARKING ALONG THE ENTIRE LENGTH OF PATHWAY DRIVE BETWEEN 7-9 A.M. AND 2-4 P.M. AND TO DESIGNATE NO PARKING FOR THE SAME HOURS ALONG CATES FARM. [THIS MOTION DIED FOR THE LACK OF A SECOND.]

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY ALEX ZAFFRON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE DESIGNATING NO PARKING FROM 7:00 TO 9:00 A.M. AND FROM 4:00 TO 6:30 P.M. ALONG CATES FARM ROAD" BE ADOPTED. VOTE: AFFIRMATIVE ALL

FOUR-WAY STOP SIGN AT JAMES STREET AND RAINBOW DRIVE INTERSECTION

The purpose of this item was for the Board of Aldermen to consider an ordinance amending the Town Code designating 4-way stop signs at the intersection of James Street and Rainbow Drive.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HANK ANDERSON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE DESIGNATING 4-WAY STOP SIGNS AT THE INTERSECTION OF JAMES STREET AND RAINBOW DRIVE," BE ADOPTED, IN ADDITION, THAT THE TOWN STAFF INSTALL TRAFFIC SIGNS WARNING DRIVERS OF THE UPCOMING STOPS SIGNS AND THAT THE VEGETATION BE TRIMMED ALONG BOTH SIDES OF THE JAMES STREET CURVE BETWEEN RAINBOW DRIVE AND HILLSBOROUGH ROAD. VOTE: AFFIRMATIVE ALL

SPEED BUMPS (UNDULATIONS) ON STRATFORD DRIVE AND CATES FARM ROAD

The Board of Aldermen at its meeting on October 24, 1995 voted to approve the connections between Stratford Drive and Cates Farm Road along with a total of five conditions. Two of those five conditions included the installation of various traffic calming devices along the aforementioned route. The town staff has coordinated efforts to schedule installation of the undulations. The purpose of this agenda item was to inform the Board as to the location of the undulations, as well as request that the Board adopt the schedule for installation of these devices.

Mr. Morgan stated that the Board had previously requested that the town staff meet with residents concerning the location of the undulations prior to the Board approving the location of the undulations. Therefore, the administration requested that the Board not take any action on this matter at tonight's meeting.

It was the consensus of the Board to delay taking any action on this matter until the town staff has reviewed the proposal for undulations with the residents.

CABLE T.V. COMMITTEE RECOMMENDATION ON USE OF LOCAL ORIGATION SETTLEMENT FUNDS

In lieu of providing Carrboro cable subscribers a local origination studio and equipment as required in the franchise ordinance, Time Warner has agreed to pay the town \$60,000. The first installment of \$30,000 was received last year and went directly into the town's General Fund. The Cable T.V. Committee has made recommendations for use of the remaining funds.

Steve Small, Chair of the Cable T.V. Committee, stated that the Cable T.V. Committee recommended that during 1996-97 that \$8,500 be used to enhance the broadcast quality of the Board of Aldermen's meetings. The remaining \$1,500 would be used to give grants to Carrboro residents to produce documentaries about Carrboro. During Fiscal Years 1997-98 and 1998-99 the Cable Committee recommended re-assessing the needs of the Board Room, continuing grants to Carrboro residents, and addressing other issues brought to the attention of the committee.

Richard Taylor requested that the Board consider the following:

1. Endorse the concept of three-camera coverage, and helping Carrboro obtain the best live presentation public access facility in the state.
2. Approve the purchase of two used cameras with certain restrictions.
3. Endorse installation of a control booth in the rear of the Board Room.
4. Endorse facility design and installation by Richard Taylor.
5. Re-instate the \$2,000 budgeted in FY'94-95 for Board Room equipment improvements.
6. Permit Richard Taylor to establish a fund raising committee, similar to Christmas Decoration Committee, to raise private funds for future equipment purchases.
7. Endorse the receipt of donated equipment where possible.
8. Future consideration of who compensates camera operator/producer for additional time needed to type up agendas and titles before meetings.
9. Consider appointing a committee to set standards and study various methods to improve the presentation equipment and quality, for staff and developer presentations.

Steve Small stated that the Cable T.V. Committee would recommend against the purchase of used equipment.

It was the consensus of the Board to refer this matter back to the Cable T.V. Committee to prepare a plan to implement upgrades to the Board Room during 1996-97.

RESOLUTION AUTHORIZING THE PURCHASE OF THE JOHNSON PROPERTY

The Johnson property consists of 13.80 acres located west of and adjoining the northern portion of the existing landfill. The acquisition of this property would increase the landfill's present 100-foot buffer and provide an additional area to expand mulching and recycling operations. The administration recommended adoption of a resolution which would authorize the Town of Chapel Hill, as administrator for the landfill, to use Land Reserve Funds to purchase the Johnson property and amend the landfill budget to appropriate \$105,000 to purchase the tract.

The following resolution was introduced by Alderman Hank Anderson and duly seconded by Alderman Hilliard Caldwell.

**A RESOLUTION AUTHORIZING THE CHAPEL HILL TOWN MANAGER
TO UTILIZE THE LANDFILL RESERVE FUND--RESERVE FOR ACQUISITIONS
TO PURCHASE THE PROPERTY KNOWN AS THE JOHNSON PROPERTY
(TAX MAP REFERENCE: 7.18.27D)
Resolution No. 37/95-96**

WHEREAS, the Landfill Owners Group has been approached by the owners of a 13.8-acre tract of property that adjoins the current landfill on Eubanks Road; and

WHEREAS, Mrs. Shirley B. Johnson, Administratrix of the Estates of Lisbon R. Johnson and his deceased son, Simon R. Johnson, has expressed her interest in selling this property to the owners of the Orange Regional Landfill; and

WHEREAS, the Landfill Owners Group would have an interest in obtaining this property in order to expand the current minimal buffer area and provide additional space for mulching and recycling operations at the Orange Regional Landfill; and

WHEREAS, it is agreed that the purchase price will be \$7,500 per acre, with the total to be determined by a survey prior to closing; and

WHEREAS, the Landfill Owners Group has recommended that the governing boards authorize the purchase of the property, utilizing funds from the Landfill Reserve Fund--Reserve for Acquisition.

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

Section 1. The Board of Aldermen hereby authorizes the Chapel Hill Town Manager to use Landfill Reserve Funds to purchase the property known as the Johnson property.

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 16th day of April, 1996:

Ayes: Alex Zaffron, Hilliard Caldwell, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

REQUEST FOR MINOR MODIFICATION/HEAD START PROGRAM

Steve Auman, on behalf of the Chapel Hill-Carrboro Headstart facility, has requested a minor modification to the conditional use permit which would allow for the placement of the heating and air conditioning units at locations other than the rear of the building as required in the existing c.u.p. The applicant is bound by the current c.u.p. to place the units at the rear of the building, unless a modification is granted by the Board of Aldermen. The administration recommended that the minor modification be granted with the condition that the applicant present this issue to the Appearance Commission and agree to adhere to its recommendations concerning the screening of the heating and air conditioning units.

Steve Auman, the project architect, stated that the trunk line would be shorter and the air would not have to be moved for such a great distance if the heating and air conditioning units are moved to the middle of the building.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TO GRANT THE MINOR MODIFICATION WITH THE CONDITION THAT THE APPLICANT PRESENT THIS ISSUE TO THE APPEARANCE COMMISSION AND AGREE TO ADHERE TO ITS RECOMMENDATIONS CONCERNING THE SCREENING OF THE HEATING AND AIR CONDITIONING UNITS WITH REGARD TO THEIR APPEARANCE AND NOISE IMPACT ON ADJOINING NEIGHBORS. VOTE: AFFIRMATIVE ALL

REQUEST FOR REPORT ON POLICE DEPARTMENT'S POLICY ON HIGH SPEED CHASES

Alderman Bryan requested a report on the Police Department's policy on high speed chases as a result of a letter from residents of Poplar and Lindsay Street concerning an incident that occurred on April 14, 1996.

IMPROVEMENTS TO OLD FAYETTEVILLE ROAD AND HILLSBOROUGH ROAD PROJECT (U-3100)

Alderman Bryan requested that the Board schedule a discussion of the proposed improvements to Old Fayetteville Road and Hillsborough Road as a result of the February 27, 1996 scoping meeting on this project. Alderman Bryan also requested a time frame on the design issues associated with this project.

REVIEW OF RECALL PROCEDURE

Mayor Nelson requested that the Board of Elections be contacted to ask for any suggestions for changes to the town's recall procedure.

REQUEST FOR CLOSED SESSION/ATTORNEY-CLIENT PRIVILEGE

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE AT 9:50 P.M. VOTE: AFFIRMATIVE ALL

Michael R. Nelson

Mayor

Town Clerk