

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 11, 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 ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE MINUTES OF JUNE 4, 1996. VOTE: AFFIRMATIVE ALL

AWARD OF BID/REMOVAL AND REPLACEMENT OF UNDERGROUND STORAGE TANKS AT PUBLIC WORKS FACILITY

The administration requested that the Board of Aldermen award the contract for the removal and replacement of the underground fuel tanks at the Public Works Facility to Jones & Frank Corp. for a total cost of \$99,991.00.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HILLIARD CALDWELL TO AWARD THE BID TO JONES & FRANK CORP. FOR A TOTAL COST OF \$99,991.00. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING SET/CONDITIONAL USE PERMIT MODIFICATION/LAKE HOGAN FARM TOWER RELOCATION

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY HANK ANDERSON TO SET A PUBLIC HEARING FOR JUNE 25, 1996. VOTE: AFFIRMATIVE ALL

SEWER EXTENSIONS/BARINGTON HILLS AREA

Katherine Cole expressed concern about the amount of inconvenience caused by installation of sewer in Suneset Creek Subdivision. In addition, Ms. Cole expressed concern about the high cost of installation of sewer to older neighborhoods.

The Board requested information on OWASA's costs associated with sewer extensions to existing neighborhoods and a report on proposal made by the developer of Sunset Creek Subdivision to provide sewer to the homes in the area of Barington Hills.

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/PERFORMANCE SECURITY

The purpose of this item was for the Board of Aldermen to hold a public hearing and consider a Land Use Ordinance text amendment which provides for the manager to extend the performance security that guarantees improvements for two additional successive periods beyond the initial ten-month deadline under limited circumstances.

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

John Rintoul, Chair of the Planning Board, stated that the Planning Board did not make a recommendation on this amendment.

Carol Harlet, a member of Arcadia, requested that the Board vote favorably on this amendment.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HANK ANDERSON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO AUTHORIZE TWO EXTENSIONS OF THE PERFORMANCE SECURITY THAT GUARANTEES THE INSTALLATION OF IMPROVEMENTS WITHIN SUBDIVISIONS WHERE THE DEVELOPER IS AN ENTITY IN WHICH ALL OF THE INITIAL PURCHASERS OF LOTS HAVE AN INTEREST. VOTE: AFFIRMATIVE ALL

Alderman Zaffron asked that the Board look at the Land Use Ordinance and its applicability to the Arcadia-type development.

REQUEST FOR SPEED BUMP ON JAMES STREET

Mari Christmas, a resident of James Street and a student at Carrboro Elementary School, requested that a speed bump be placed between 208 and 210 James Street to slow traffic.

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/MINEKE MUFFLERS

This was a public hearing to review an application for a conditional use permit which would allow for operation of an auto repair shop in three existing buildings at 407 East Main Street.

Keith Lankford, the town's Zoning Administrator, was sworn in. Mr. Lankford presented the site plan for this project and stated that the administration recommended approval of the conditional use permit with the following conditions:

1. That NCDOT approve the drainage improvements which will take place within the right-of-way prior to construction plan approval.
2. That a tree which will reach similar size at maturity be planted in order to satisfy the requirements of the type "A" screen in the event that the 26-inch maple tree needs to be removed due to the extent of the internal decay.
3. That the applicant make every effort to seek additional satellite parking and obtain this parking if and when it becomes available.

Randy Silver, the applicant, was sworn in. Mr. Silver stated that the town staff had been very helpful in expediting his conditional use permit request. Mr. Silver presented a rendering of how the shop will look. Mr. Silver stated that he has attempted to find satellite parking, but has thus far be unable to obtain any. Mr. Silver stated that his business will be open 8-6, Monday through Saturday. Mr. Silver stated that he would work construction around church hours. Mr. Silver stated that he had no problems with the advisory board recommendations. Mr. Silver stated that he will start off with three employees.

John Rintoul, Chair of the Planning Board, was sworn in. Mr. Rintoul stated that the Planning Board recommended approval of the permit with the conditions recommended by the town staff, in addition to recommending that the Board accept the parking deviation.

Richard Taylor, a member of the Appearance Commission, was sworn in. Mr. Taylor stated that the Appearance Commission felt the project should follow the Downtown Design Guidelines. Mr. Taylor suggested that bikes be made available at the muffler shop for patron's use while having work performed on their cars.

Barry Blanchet, owner of Nice Price Book, was sworn in. Mr. Blanchet stated that he feels this project will add to the traffic problems in this area of the downtown. Mr. Blanchet suggested that the empty lot on Rosemary Street should be upgraded to provide additional parking in the downtown.

Ken Holland was sworn in. Mr. Holland stated that he operated a paint store in a portion of the proposed building for fifteen years. Mr. Holland stated that he did not have any major traffic problems. Mr. Holland stated that there is plenty of parking for this business.

Randy Silver requested that he not be required to go back to the Appearance Commission to review the the external details of the building.

Keith Lankford stated that the Appearance Commission will have to review the signage for the building.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY ALEX ZAFFRON THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY ALEX ZAFFRON THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY ALEX ZAFFRON THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. That applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Zoning Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That NCDOT approve the drainage improvements which will take place within the right-of-way prior to construction plan approval.
4. That a tree which will reach similar size at maturity be planted in order to satisfy the requirements of the type "A" screen in the event that the 26-inch maple tree needs to be removed due to the extent of the internal decay.
5. That the applicant make every effort to seek additional satellite parking and obtain this parking if and when it becomes available.
6. That prior to construction plan approval, the applicant shall submit revised drawings with all exterior details (i.e., building color, signage, awnings, etc.) to the Appearance Commission for review and comment.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT NO PARKING BE ALLOWED ON THE SIDEWALK WHICH RUNS ALONG THE APPLICANT'S PROPERTY LINE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY ALEX ZAFFRON TO GRANT THE CONDITIONAL USE PERMIT WITH THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE ALL

The Board requested that the town staff find out when the Chapel Hill Town Council will be discussing the Rosemary Street parking lot.

Alderman Bryan requested that the inner edge of the sidewalk along this area be stripped.

PRESENTATION OF 1996-97 BUDGET RECOMMENDATIONS/HUMAN SERVICES COMMISSION

The Chair of the Human Services Commission, Christine Taylor, presented the Commission's recommendations for the 1996-97 fiscal year. Ms. Taylor stated that some of the agencies did not answer the questions on the applications for funding. Ms. Taylor suggested a training session with applicants on completion of applications.

Alderman Gist requested additional information on the Communities in Schools application.

STATUS REPORT FROM HOLIDAY DECORATIONS COMMITTEE

Maria Owens, Chair of the Holiday Decorations Committee, presented a status report on the fund raising activities and decoration selection process for holiday street decorations. Ms. Owens stated that the goal was to

purchase 36, four-foot ornaments. Ms. Owens stated that the Committee had raised \$6,000 for the purchase of holiday decorations. Ms. Owens stated that the Committee recommended that the town purchase 4-foot snow flakes with the funds raised.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY'95-96 BUDGET ORDINANCE."
VOTE: AFFIRMATIVE ALL

REPORT ON REQUEST FOR BALDWIN PARK BASKETBALL COURT

Miles Pressler presented a petition to the Board of Aldermen on May 28, 1996 and asked that the Board consider funding and building a basketball court at Baldwin Park. The Board referred this matter to the Recreation and Parks Commission. The Commission's recommendation will be presented to the Board at tonight's meeting.

Richard Kinney, Recreation and Parks Director, stated that additional residents in the area adjacent to Baldwin Park had signed the petition requesting the installation of a basketball court. Mr. Kinney presented a revised map showing areas where residents had signed the petition requesting the installation of a basketball court.

It was the consensus of the Board to discuss this request in conjunction with budget discussions for the 1996-97 budget.

CONDITIONAL USE PERMIT MINOR MODIFICATION/MUSIC LOFT

Keith Lankford, the town's Zoning Administrator, stated that John Dunkle, on behalf of Jesse E. Miller, III, has applied for a minor modification to the conditional use permit that was issued on February 20, 1990 for the Music Loft. This minor modification involves enclosing the existing front porch on the south side of the building. This enclosure will involve approximately 350 square feet of floor area. The property is zoned B-1(G) and is identified as Tax Map 98, Block N, Lot 20.

Alderman Bryan requested that written comments submitted by John Dunke be entered into the record of tonight's meeting. (See the Town Clerk's file of this meeting for a copy of these comments.)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JAY BRYAN TO GRANT THE MINOR MODIFICATION AS PRESENTED. VOTE: AFFIRMATIVE ALL

RESIDENTIAL TRAFFIC MANAGEMENT PLAN

The Town of Carrboro currently does not have a policy which deals with the concerns of speeding in residential neighborhoods. The purpose of this item was to introduce a policy that evaluates residential traffic problems and provides possible solutions for neighborhoods. The town staff recommended that the Board consider adopting the Residential Traffic Management Plan.

Kim Sledge, a HUD intern for the Planning Department, presented the Residential Traffic Management Plan for speed and traffic control.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HANK ANDERSON TO ENDORSE THE POLICY PROCESS FOR THE IMPLEMENT OF TRAFFIC CONTROL DEVICES WITH THE FOLLOWING CHANGES:

- a. That within the "Process of Petition," the statement be rewritten as, "The petition must be signed by at least 75% of property owners or residents of properties located on the project street."
- b. That the traffic control devices which would exclude streets from the Snow Removal Plan and street cleaning activities be indicated within the chart and addressed by the TAB.
- c. That the number of devices used not be limited to seven, but that all 30 devices be included.
- d. That the petitioners be allowed to come up with no more than three traffic calming devices as alternatives for use along their street.
- e. That diverters be excluded from the policy.

- f. That the undulations category be excluded from the policy at this time.

VOTE: AFFIRMATIVE

It was the consensus of the Board to discuss undulations following the Board's summer break.

RECOMMENDATION FOR TOWN ENGINEER CONTRACT

The purpose of this item was to provide the Board of Aldermen with a recommendation and contract for retaining the services of an engineer to perform the duties of "Town Engineer".

The Board requested that the contract be amended to include language dealing with conflicts of interest, that the last sentence of Article I, Section 3 be amended to read: "The Engineer shall not incur costs to the owner in excess of 5% of the engineer's estimate without prior written approval of the owner," and that Exhibit A be amended to state that the engineer will meet with citizens, and that this matter be placed back on the Board's agenda for June 18, 1996.

BUDGET AMENDMENT

The purpose of this agenda item was to amend the 1995-96 fiscal year budget, transferring monies from non-departmental to the various operating accounts for merit increases approved during the current year, service level benefits and dependent health insurance coverage. The amendment also places funds budgeted for the Youth Coordinator in the Town Manager's budget; recognizes revenue from a COPS grant which funds a portion of Community Police Officer's salary and benefits; returns funds remaining in the street resurfacing account to the Capital Reserve Fund; reserves funds appropriated for a computer network for use in the 1996-97 year; reserves funds appropriated for the purchase of safety equipment for use in the 1996-97 year; and recognizes and reserves \$2,000 contribution from Chapel of the Cross.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY HILLIARD CALDWELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY'95-96 BUDGET."
VOTE: AFFIRMATIVE ALL

AGREEMENT WITH AMERICORP FOR SUMMER CAMP

The Town of Carrboro, the Americorp program, and the Artscenter will work together this summer to provide a youth camp for youth in Carr Court. The representatives for the Americorp program have requested that the Town clarify its role and responsibility in providing this camp.

James Harris stated that Ed Chaney with Americorp has donated \$600.00 toward the salary for the Youth Coordinator along with other donations totalling \$1,280.

Alderman Zaffron requested that the ArtsCenter's role with this project be formalized.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY HILLIARD CALDWELL TO DESIGNATE THE CARR COURT SUMMER CAMP AS A PROGRAM OF THE TOWN OF CARRBORO, THAT THE YOUTH COORDINATOR'S HOURS BE INCREASED BY TWENTY HOURS PER WEEK TO OVERSEE THE SEVEN-WEEK CAMP, AND THAT THE TOWN BUDGET BE AMENDED TO REFLECT FUNDING FOR THE ADDITIONAL TIME COMING FROM OUTSIDE SOURCES. IN ADDITION, THAT THE TOWN MANAGER BE AUTHORIZED TO ENTER INTO NECESSARY AGREEMENTS WITH OUTSIDE RESOURCES TO CONDUCT THIS CAMP. VOTE: AFFIRMATIVE ALL

TYPOGRAPHICAL AND OTHER NON-SUBSTANTIVE EDITORIAL CHANGES TO THE TEXT OF THE LAND USE ORDINANCE AMENDMENTS

The Board accepted the typographical and other non-substantive editorial changes to the text of the Land Use Ordinance as proposed by the Planning Director.

REQUEST FOR REPORT ON STORE VACANCY/CARRBORO PLAZA SHOPPING CENTER

Alderman Bryan requested a report on Rose's Store vacancy in Carrboro Plaza Shopping Center.

CARRBORO PUBLIC LIBRARY

Mayor Nelson stated that negotiations are underway with the Orange County Board of Commission to make the Carrboro Public Library a branch of the Orange County Library.

MOTION WAS MADE BY BY JACQUELYN GIST AND SECONDED BY HANK ANDERSON TO
ADJOURN AT 11:08 P.M. VOTE: AFFIRMATIVE ALL

Michael R. Nelson
Mayor

Town Clerk