

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 24, 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 HANK ANDERSON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE MINUTES OF SEPTEMBER 17, 1996, AS AMENDED. VOTE: AFFIRMATIVE ALL

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### HURRICANE FRAN RECOVERY

Chris Peterson, Public Works Director, thanked the town staff for all their hard work, the contractor with FEMA and prisoners who have assisted the town in collecting storm debris. Mr. Peterson stated that debris has been picked up from approximately 50% of the town's streets to date. Mr. Peterson stated that an area on the northern end of the Community Park has been set aside to store hardwood. Mr. Peterson stated that this wood is available for anyone wishing to cut it. Mr. Peterson also thanked all the Carrboro businesses that have contributed items to the town during the storm clean up.

Alderman Caldwell stated that the Chapel Hill-Carrboro Rotary Club has adopted two widowers to clear up storm debris from their yards. Alderman Caldwell urged other service clubs to assist senior citizens in the removal of debris from their yards.

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### A RESOLUTION SENDING REGRETS TO THE FAMILY OF DAVID REYNOLDS

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

A RESOLUTION SENDING REGRETS TO THE  
FAMILY OF DAVID REYNOLDS  
Resolution No. 15/96-97

WHEREAS, David Reynolds served the North Carolina League of Municipalities for sixteen years, with nearly ten years as its Executive Director; and

WHEREAS, David provided excellent leadership, vision, and dedication to the cities and towns of North Carolina and to the League; and

WHEREAS, David, during his time as Executive Director, greatly increased the League's services to member cities and towns and built three risk management services programs; and

WHEREAS, David was an effective advocate for cities and towns before the General Assembly and the state government and promoted a partnership between all levels of government.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Mayor and Board of Aldermen sends this memorial resolution to David Reynold's family expressing the Town of Carrboro regrets.

Section 2. This resolution shall be spread upon the minutes of the Board of Aldermen and a copy shall be delivered to David Reynolds' family.

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 September, 1996:

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

Noes: None

Absent or Excused: None

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**PUBLIC HEARING/STREET CLOSING REQUEST/IAMS COMPANY/1996 APS POOCH PARADE**

The Iams Company has submitted a Street Closing Permit Application for the temporary closing of portions of East Main Street and West Main Street from 2:00 p.m. to 2:45 p.m. on Saturday, October 26th to accommodate the 1996 APS Pooch Parade. Street closing permit applications require a public hearing and Board review and approval.

Mark Driscoll stated that there will be contests after the parade and that there will be amplification used. Mr. Driscoll stated that they would notify neighbors located adjacent to the Town Commons.

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

The following resolution was introduced by Alderman Alex Zaffron and seconded by Alderman Hilliard Caldwell.

**A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING  
OF PORTIONS OF EAST MAIN AND WEST MAIN STREET  
TO ACCOMMODATE THE 1996 APS POOCH PARADE  
Resolution No. 9/96-97**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following street shall be temporarily closed on Saturday, October 26, 1996 from 2:00 p.m. to 2:45 p.m. to accommodate the 1996 APS Pooch Parade:

- a) East Main street from Roberson Street intersection to West Main Street intersection; and
- b) West Main Street from the East Main Street intersection to Town Hall Drive.

Section 2. The Public Works Department shall provide temporary traffic control devices (cones) on the day of the closing.

Section 3. The Sponsor, Iams Company, shall be responsible for notifying Central Communications, on the event day, when the streets are closed when re-opened.

Section 4. The Sponsor, Iams Company, shall be responsible for the cleaning of animal waste from the roadways as a result of this temporary street closing.

Section 5. The Sponsor, Iams Company, shall be responsible for reimbursing the Town for the utilization of four (4) off-duty Police Officers to manage traffic control; cost being \$203.12.

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 24th day of September, 1996:

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

Noes: None

Absent or Excused: None

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**PUBLIC HEARING/1996 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

This was a public hearing to receive public comment on the application for Community Development Block Grant funds.

James Harris, the town's Assistant to the Town Manager, stated that the application is for Scattered Site funds in the amount of \$400,000. The town's contribution of \$25,000 would need to come out of the 1997-98 and 1998-1999 budgets.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jay Bryan.

**A RESOLUTION AUTHORIZING THE TOWN MANAGER  
TO SUBMIT A CDBG APPLICATION  
Resolution No. 12/96-97**

WHEREAS, the Town of Carrboro has identified areas of scattered housing needs within its jurisdiction;  
and

WHEREAS, the Town of Carrboro acknowledges that funds are available through the N.C. Department of Commerce, Community Development Block Grant Program, to address those needs which benefit at least 51% low to moderate income persons; and

WHEREAS, the citizens participation requirements of conducting two public hearings to support the application have been met.

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

Section 1. The Board of Aldermen hereby directs the Town Manager to act as the official representative of the town in connection with the CDBG Application and to provide any additional information as needed.

Section 2. The Board of Aldermen directs the Town Manager to submit a Community Revitalization Grant Application to the Department of Commerce for the 1996 funding cycle and hereby authorizes the Mayor to execute said application.

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 September, 1996:

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

Noes: None

Absent or Excused: None

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jay Bryan.

**A RESOLUTION APPOINTING A  
CDBG PROJECT AREA COMMITTEE  
Resolution No. 13/96-97**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVES:

Section 1. The following individuals have been named to serve as a Project Area Committee for the 1997/1998 Community Development Block Grant Project Area:

NAME	ADDRESS
James Harris (Town of Carrboro)	301 W. Main Street, Carrboro, N.C. 27510
Mary Bynum	112 Alabama Ave., Carrboro, N.C. 27510
Wilbert Jones	117 Alabama Ave., Carrboro, N.C. 27510
Geraldine Page	107 Eugene St., Carrboro, N.C. 27510
Pearlie Jones	114 Eugene St., Carrboro, N.C. 27510
Larry Moore	8516 Union Grove Church Rd., Chapel Hill, N.C. 27516

Section 2. The following individuals are from the Project Area representing low and moderate income individuals:

NAME	ADDRESS
Mary Bynum	112 Alabama Ave., Carrboro, N.C. 27510
Wilbert Jones	117 Alabama Ave., Carrboro, N.C. 27510
Geraldine Page	107 Eugene St., Carrboro, N.C. 27510
Pearlie Jones	114 Eugene St., Carrboro, N.C. 27510
Larry Moore	8516 Union Grove Church Rd., Chapel Hill, N.C. 27516

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 September, 1996:

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

Noes: None

Absent or Excused: None

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#### **PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/AUTUMN WOODS APARTMENTS**

Deborah Anderson, development partner of the Autumn Woods Apartments, has submitted a petition requesting the annexation of the Autumn Woods Apartments (aka Alta Seasons Apartments). The property, located at 222 Old Fayetteville Road, contains 16.37 acres and will have 236 dwelling units. The administration recommended adoption of an ordinance annexing this property, effective September 30, 1996.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING AUTUMN WOODS APARTMENTS. VOTE: AFFIRMATIVE ALL

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#### **PUBLIC HEARING/CARRBORO THOROUGHFARE PLAN AMENDMENT**

The Board of Aldermen received public comment on the inclusion of the Old NC 86/Homestead Road Connector on the Chapel Hill-Carrboro Thoroughfare Plan and the Durham-Chapel Hill-Carrboro Thoroughfare Plan.

Kenneth Withrow, the town's Transportation Planner, explained the proposed alternatives and answered the Board's questions. Mr. Withrow stated that the town administration recommended that the northern arterial connection (North Arterial with Wyndham and Colfax) be included in the Thoroughfare Plan.

Roy Williford, Planning Director, stated that the improvements of connecting roads provide a great benefit to the internal neighborhoods.

Mayor Nelson noted a letter from Mr. and Mrs. Allen Cameron, residents of 200 Cobblestone Drive, speaking in favor of improvements to the Calvander Road intersection, but opposing the creation of additional roads to solve potential future traffic circulation problems.

Mayor Nelson noted also a letter from Mr. and Mrs. William Long, residents of 211 West Poplar Avenue and owners of property in the area of Homestead Road and Old Highway 86, stating that they travel Homestead Road almost daily in peak rush hours and have not encountered the amount of traffic that would warrant a thoroughfare connecting Homestead Road and Old Highway 86. In addition, that the grid roads in existence

connecting the Cates Farm and Wexford communities should be considered to help alleviate the additional traffic generated from these communities.

The Planning Board recommended the southern arterial connection between NC 86 and Homestead Road.

The Transportation Advisory Board will be considering this matter at its meeting on October 17, 1996.

Michael Hughes, a civil engineer, presented a map indicating the Wexford, Arcadia and Sunset Creek Subdivisions showing the existing NC 86 and Homestead Road alignments. Mr. Hughes presented a letter (see Town Clerk's file of this meeting) speaking against the town administration's recommendation which, if constructed as proposed, would go through Mrs. Dorothy Hogan's property.

Maria Owens, a resident of Lindsay Street and member of the Planning Board, stated that she is against the arterial road. Mrs. Owens stated that the Planning Board does not feel there is a commitment to the connector road policy.

Jim Bateson, a member of the Planning Board, stated that the Planning Board had made its decision based on insufficient information. Mr. Bateson stated that he would hate for a major road to be cut through there and the Hogan's property with an ill-considered road. If the connector road policy is used, this connection should not be needed.

Jo Ann Garvin, a resident of 106 Stratford Drive, stated she was concerned about the volume of traffic predicted on Stratford Drive. Mr. Garvin expressed concern about the connection of Stratford Drive.

Robert Rodriguez, a resident of 216 Stratford Drive, stated that the traffic volumes predicted for Stratford Drive are above the levels that traffic calming devices will accommodate.

Herschel Wheatley, a resident of 111 Stratford Drive, stated that the Hogans should be representing themselves. Mr. Wheatley asked that the connector roads plan be used and connect neighborhoods. Mr. Wheatley stated that he had no objections to being connected to Cates Farm.

Ann Leonard, a resident of 1043 Old Fayetteville Road, stated that the land on which the road connection is drawn on looks vacant. It is not vacant, this property is used as farmland. Ms. Leonard stated that her husband, Rob Hogan, continues to farm this property. Ms. Leonard questioned the benefit of the proposed connection.

Rob Hogan, a resident of 1043 Old Fayetteville Road, stated that he is a member of the Small Area Planning Work Group, and that he supports an aggressive and consistent connector road. Mr. Hogan stated that he is actively farming his land and would like to be able to continue his farming operation.

Linda Roberts, a resident of Calvander, requested that the northern arterial be dropped from consideration, since no notification was sent to affected property owners. Ms. Roberts stated that she and her family were in favor of the southern arterial following the property lines. Ms. Roberts requested that the Calvander intersection be preserved.

Jean Earnhardt, a resident of 600 Bolin Brook Farm Road, stated that the Hogan Farm is a very special place. Ms. Earnhardt stated that she feels the Carrboro Board of Aldermen is committed to the preservation of important community resources such as historic homes, scenic views, and open space. Ms. Earnhardt spoke against the southern arterial, and stated that Rob Hogan wishes to maintain his open space.

Steve Gallo, a resident of 110 Stratford Drive, expressed his desire to connect neighborhoods.

Michael Robinson, a resident of 402 James Street, stated that the Stratford Drive connection is a very attractive alternative to the Calvander intersection. Mr. Robinson expressed concern that traffic would be routed from Stratford Drive to James Street. Mr. Robinson spoke in favor of the connector road policy.

Susan Hogan, a resident of 819 Old Pittsboro Road, stated that traffic control has proven to be traffic deterrents. Ms Hogan spoke in favor of adding additional connections.

Curtis McLaughlin, a resident of 8823 Drew Lane, expressed concern about the middle arterial. Mr. McLaughlin stated that there is a mediated process going on at the current time and until there is a plan for the Small Planning Area, road connections should not be considered.

It was the consensus of the Board to continue this public hearing until after the Transportation Advisory Board has considered this matter.

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**REPORT ON FLOOD PLAIN MANAGEMENT STUDY**

The Towns of Chapel Hill and Carrboro, the University of North Carolina, and Orange County have expressed an interest in obtaining a floodplain management study of the Bolin Creek Basin, the Morgan Creek Basin, and the Booker Creek Basin. The purpose of this report was to provide the Board of Aldermen with a summary of the activities that have and will need to take place in order to obtain a floodplain management study.

Roy Williford, Planning Director, stated that the Army Corps of Engineers has estimated that it could perform a comprehensive stormwater management study for a total cost of \$179,000 over a two-year period. The cost would be shared 50% federal (Section 22), 25% N.C. Division of Water Resources, and 25% local (Chapel Hill, Carrboro, Orange County and UNC). The annual cost to each local unit, assuming four participants, would be roughly \$5,600.

Alderman Gist requested an example of the type of study the Army Corps of Engineers would perform.

Alderman Bryan requested that the town staff revise the scope of services and bring this matter back to the Board of Aldermen.

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**RESOLUTION AUTHORIZING THE TOWN OF CHAPEL HILL TO ADJUST THE PRICE OF MULCH AT THE ORANGE REGIONAL LANDFILL**

The Town of Chapel Hill, as administrator of the Orange Regional Landfill, requested that the Mayor and Board of Aldermen consider adopting a resolution authorizing the Chapel Hill Town Manager to adjust the price of mulch sold at the landfill as the demand for the mulch adjusts.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Alex Zaffron.

**A RESOLUTION AUTHORIZING THE CHAPEL HILL TOWN MANAGER  
TO SET AND ALTER THE PRICE OF MULCH AT THE  
ORANGE REGIONAL LANDFILL**

Resolution No. 7/96-97

WHEREAS, the Orange Regional Landfill currently produces a mulch product by grinding yard waste received at the landfill, and

WHEREAS, the Orange Regional Landfill currently charges a flat fee of \$15.00 per scoop (2 1/2 yd) or pick-up load, as set by the Orange County Commissioners, Chapel Hill Town Council and the Carrboro Board of Aldermen through adoption of the Landfill Owners Group 1996-97 budget; and

WHEREAS, the Orange Regional Landfill has space constraints that limit the total amount of mulch that can be stockpiled on site, and

WHEREAS, the current supply of mulch for sale exceeds the current demand for the product, due to a continuing trend of increasing diversion of yard waste; and

WHEREAS, the recent storm related debris has exacerbated space constraints and will likely further increase the supply of mulch throughout the region; and

WHEREAS, the Orange Regional Landfill could better market the mulch product throughout the year if the price for mulch was adjustable, based upon supply and demand, and negotiable for large volume customers; and

WHEREAS, the Town of Chapel Hill administers the Orange Regional Landfill and the Landfill Fund on behalf of all three governmental entities which own the landfill, through an agreement that requires all jurisdictions to approve changes in landfill fees.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVE

Section 1. The Board of Aldermen authorizes the Chapel Hill Town Manager to set and alter the price of mulch as deemed necessary to promote efficient sale of the product and avoid excessive stockpiling.

Section 2. A copy of this resolution shall be forwarded to the Chapel Hill Town Manager.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 24th day of September, 1996:

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

Noes: Michael Nelson

Absent or Excused: None

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**RESOLUTION AUTHORIZING THE TOWN MANAGER TO WORK WITH MANAGERS OF CHAPEL HILL, HILLSBOROUGH AND ORANGE COUNTY TO PROCEED WITH PREPARATIONS FOR THE JOINT CAPITAL PLANNING AND JOINT OPERATIONS FOR THE RESPECTIVE PARKS AND RECREATION DEPARTMENTS**

The Mayor and Board of Aldermen are requested to consider adopting a resolution authorizing the Town Manager to Work with the Managers of Chapel Hill, Hillsborough and Orange County to proceed with preparations for the joint capital planning and joint operations for the respective parks and recreation departments.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Diana McDuffee.

A RESOLUTION AUTHORIZING THE MANAGER OF THE TOWN OF CARRBORO TO WORK WITH THE MANAGERS OF THE TOWNS OF CHAPEL HILL AND HILLSBOROUGH, AND THE ORANGE COUNTY MANAGER TO PROCEED WITH PREPARATIONS FOR JOINT CAPITAL PLANNING AND JOINT OPERATIONS FOR THE RESPECTIVE PARKS AND RECREATION DEPARTMENTS  
Resolution No. 8/96-97

WHEREAS, in September, 1994, the Orange County Assembly of Governments recommended that the staffs of Carrboro, Chapel Hill, Hillsborough and Orange County make recommendations to their respective governing bodies about opportunities for joint planning for use of capital improvements for recreation and park services, and that representatives of both school systems be involved; and

WHEREAS, a work group was formed and presented its report to the Assembly of Governments on January 30, 1996;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen hereby authorizes the Town Manager to proceed to:

1. Cooperatively prepare a recommended process for joint capital planning and joint operations for parks and recreation services to the people of Orange County;
2. Maximize joint development. and use of facilities by schools, parks and local governments;
3. Determine whether this approach will reduce long-term capital and operating costs;
4. Consider the value of planning and developing district parks for Orange County;
5. Consider dedicated revenue sources for parks.

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 24th day of September, 1996:

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

Noes: None

Absent or Excused: None

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**APPOINTMENTS TO ENVIRONMENTAL ADVISORY BOARD**

Mayor Nelson, Alderman Gist and Alderman Anderson made the following recommendations for appointments to the Environmental Advisory Board:

NAME	ADDRESS	TERM EXPIRATION
Carla Ball	101 Wild Oak Lane	February, 1999
Keith Burwell	112 Yeargan	February, 1999
Maura High	307 Blueridge Road	February, 1999
Kathleen Buck	351 Old Fayetteville Road	February, 1998
Randy Dodd	128 Circadian Way	February, 1998
Joseph LoBuglio	323 Blueridge Road	February, 1997
Richard Taylor	501 Jones Ferry Road, P-8	February, 1997

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO MAKE THE ABOVE RECOMMENDED APPOINTMENTS. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (CALDWELL, BECAUSE THERE WERE NO AFRO-AMERICANS APPOINTED.)

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**REGISTRATION PROCESS FOR HURRICANE DEBRIS REMOVAL**

Mr. Morgan explained the registration procedure which had been set for businesses or individuals seeking to solicit work in the Town of Carrboro clearing trees and debris and repairing hurricane damage. Mr. Morgan stated the registration consists of providing the police department with a valid identification giving the name and address of the soliciting party.

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**REQUEST FOR CHANGES IN QUARTERLY CALENDAR**

Alderman Bryan requested that the Board of Aldermen's Quarterly Calendar be amended to add additional time on November 12th for the worksession to discuss towers and antennas, presentation of the audit report, and worksession on establishing a business incubator. In addition, Alderman Bryan requested that the Quarterly Calendar be amended to add a discussion of a policy on fee waivers for elderly housing.

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MOTION WAS MADE BY JAY BRYAN AND SECONDED BY DIANA MCDUFFEE TO ADJOURN TO CLOSED SESSION TO DISCUSS PROPERTY ACQUISITION AT 10:20 P.M. VOTE: AFFIRMATIVE ALL

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*Michael R. Nelson*

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Mayor

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Town Clerk