

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 22, 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 OCTOBER 15, 1996. VOTE: AFFIRMATIVE ALL

RESOLUTION AUTHORIZING THE SALE OF ITEMS OF TOWN SURPLUS PERSONAL PROPERTY BY PUBLIC AUCTION

The administration requested adoption of a resolution authorizing the sale by public auction or other method allowed by the General Statutes of surplus town personal property and unclaimed property in the possession of the police department.

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

**A RESOLUTION AUTHORIZING THE SALE BY PUBLIC AUCTION
 OR OTHER METHOD ALLOWED BY THE GENERAL STATUTES
 OF SURPLUS TOWN PERSONAL PROPERTY AND UNCLAIMED
 PROPERTY IN THE POSSESSION OF THE POLICE DEPARTMENT**
 Resolution No. 23/96-97

WHEREAS, Article 12 of the General Statutes, Chapter 160A, authorize the Town to dispose of personal property; and

WHEREAS, the Town is authorized to dispose of unclaimed personal property in the possession of the police department pursuant to G.S. 15-12; and

WHEREAS, the Town desires to dispose of certain items of surplus property and unclaimed personal property in the possession of the police department.

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

Section 1. The following items of Town personal property are hereby declared surplus:

EQUIPMENT

Die Cutter Roller with Dies: Model B-2 Electric, 120 volts.
 Heat Lamp Applicator: Scotch Lite Brand for heat sensitive signage materials.
 Two Street Amet Traffic Counters
 Galion Drum Roller
 1980 Hardee Offset Mower

OTHER ITEMS

Wide Carriage Printer with sound cover	Hand Held Blowers (2)
General Electric Radio Cassette Players	Stihl Line Trimmers (2)
Loom Structo Artcraft	Walk Behind 36" Sweepster
Record Player	Computer 286 upgraded to 386
3 Hole Punch	misc. inventory items

Tennis Ball Lobster
 Tool/Fixit box (metal)
 Drink Box

Section 2. The following items are in the possession of the Carrboro Police Department and have remained unclaimed for a period of at least 180 days (30 days for bicycles). Notice of this unclaimed property having been published on October 13 and 14, 1996, all persons who claim any interest in the following property shall be allowed thirty (30) days to present such claim to the police department. If not claimed, such property shall be sold as provided in this resolution.

BICYCLES: Ross mountain lady's silver, Raleigh men's 10 speed white, Performance Aurora mountain 21 speed men's teal, Murray "Mountain Shadow" black men's 18 speed, All Terrain Outpost black men's 21 speed, Trek Antelope 830 mountain men's 21 speed black, Mountain bike men's 15 speed black, men's 10 speed blue & gold, B.C.A. Rocky Brand mountain white men's 10 speed, Univega "Custom Maxima" men's 10 speed blue, Huffy Model 626 women's 12 speed black & white, Schwinn Mesa Runner mountain lady's 10 speed blue, Strider men's 10 speed blue, Ross Eurotour men's 3 speed blue, Motobecane Super Touring mountain lady's 15 speed blue, Huffy Rock Ridge boy's blue 21", Diamond Back Racing Team boy's black 21", Malibu Magna girl's white 21", boy's yellow 16", Round Track Racer boy's red 21", Roadmaster "ATB" mountain men's gray 18 speed, BMX Huffy boy's 12 speed white 24", Men's 21 speed mountain black, Champion Edition Roadmaster mountain men's 18 speed black, Huffy mountain men's 21 speed black, Men's 21 speed gray mountain, Giant Senorra mountain green men's 18 speed, Huffy Manitoba mountain lady's 18 speed green, Giant Yukon mountain men's 21 speed black & blue, Mountain men's 18 speed silver, Huffy USA boy's red 16", Freespirit "Canyon Pass" mountain men's 10 speed white, Jamis Explorer XR mountain men's 21 speed purple, Murray mountain men's 15 speed black with impact shock system, Haro Vector men's green mountain frame bike, Scott mountain bike men's red 18 speed, Free Spirit men's 10 speed brown, Curaca Diamond Back mountain men's 12 speed red, Roadmaster mountain men's 15 speed green, Huffy Manitoba mountain men's 18 speed green, Cannondale mountain M300 men's 18 speed blue, mountain bike tires and rims only, Huffy Glacier mountain girl's 10 speed green & white, Dunelt lady's 3 speed blue, men's 12 speed gold, Rallye Highlander mountain bike blue men's 15 speed, Ozark Cignal mountain black men's 21 speed, 3 handle bars, Specialized Rockhopper mountain 21-speed men's, Murray Meltdown boy's 12 speed, GT Arette men's 21 speed, Trek Antelope 21 speed men's mountain, Magna Fugitive 10 speed mountain boy's, assorted tires, Rossi Mount Hood mountain men's, Murray mountain frame only, Giant mountain frame only, Giant Boulder 21-speed men's.

STEREO EQUIPMENT: Pioneer FM/AM Digital Synthesizer Tuner, Cobra 19 Plus CB, AM/FM cassette car stereo, Radio Shack scanner, misc. wiring, AM/FM dual cassette recorder boom box, Ford AM/FM cassette player indash, JVC AM/FM cassette player indash, Panasonic AM/FM cassette player indash, Pioneer stereo amp. GM-123, Clarion equalizer booster, Realistic power booster, Roadmaster power booster, Boss subwoofer electronic crossover, Sparkomatic power booster, Jenson power booster, cable boxes, wiring, Kenwood graphic equalizer, Ford car AM/FM indash radio.

OFFICE / COMPUTER EQUIPMENT: IBM Personal System 2 with Panasonic KX-P1180 Multi-Mode Printer, misc. parts, IBM Selectric II typewriter.

SPORTS EQUIPMENT: Bladerunner child's rollerblades, Pro-style softball glove, Superball black basketball, Grant full face motorcycle helmet, handlebars, Griffin motorcycle helmet, 20 lb. weight.

MISCELLANEOUS ITEMS: Eastpak waist satchel, jewelry, watches, household items, Goretex mittens, hats, books, clothing, Emerson microwave oven, Kenmore solid state microwave oven, Pierre Cardan suitcase, cassette carrying case, box of toys, Roadmaster radar detector, Art light walkie talkies, GE TV with remote, Paramount electric blower, small metal table stand on wheels, Performance Coretex child's coat, adult coat, Carolina Panthers coat, Sears child's coat, Pacific Trail child's coat, other coats, shoes and boots, compact discs, sheets, duffle bags, cassettes, shaving kit, cd carrying case, Jansport backpack with shoes, LL Bean backpack.

Section 3. The Town Manager shall be and is hereby authorized to dispose of the surplus personal property listed in Section 1 and the unclaimed property listed in Section 2 at public auction in accordance with statutory requirements.

Section 4. A public auction shall take place on Saturday, November 16, 1996 at 10.00 a.m. at the Carrboro Public Works Facility.

Section 5. The terms of the sale shall be to the highest bidder for cash (items specifying a minimum bid price shall be to the highest bidder equaling or exceeding the established minimum). All sales shall be designated final on the day of the auction.

Section 6. All items shall be sold on an "as is" and "where is" basis and the Town makes no guarantee of merchantability or any other implied or express warrantee and assumes no responsibility for any of the items.

Section 7. It shall be a condition of the sale that all items purchased shall be picked up and removed from the premises of the Public Works facility by 1:30 p.m. on the day of the auction. Purchasers shall bear sole risk of loss of any items remaining on said premises past such time.

Section 8. If any of the property listed in this resolution is not sold at the public auction, the Purchasing Officer is hereby authorized to sell said surplus property by sealed bid, private negotiated sale or other appropriate manner authorized by the General Statutes and approved by the Town Manager.

Section 9. 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 22nd day of October, 1996:

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

Noes: None

Absent or Excused: None

AWARD OF BID/COMMUNITY PARK BALL FIELD LIGHTING

The administration requested that the bid for installation of lighting at the Carrboro Community Park Ball Field be awarded to Floyd S. Pike Electrical Contractor, Inc. for a total cost of \$56,304, and that the Board adopt a resolution designating the installment purchase contract for this project a tax-exempt obligation of the town.

Dennis Joines, the town's Athletic Coordinator, answered the Board's questions concerning this matter. Mr. Joines stated that the total cost for this project will be \$56,304. Mr. Joines stated that the town staff was recommending that glare shields be installed on each light fixture, even though all discussions and studies have indicated that the use of the shields, while enhancing the vision on the playing field, will have little effect on spill-over light on the surrounding areas.

**MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HILLIARD CALDWELL TO AWARD THE BID TO FLOYD S. PIKE ELECTRICAL CONTRACTOR, INC. FOR A TOTAL COST OF \$56,304.
VOTE: AFFIRMATIVE ALL**

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Hilliard Caldwell .

A RESOLUTION DESIGNATING INSTALLMENT PURCHASE CONTRACT AS TAX-EXEMPT OBLIGATION OF THE TOWN

Resolution No. 24/96-97

WHEREAS, the Town of Carrboro, through its duly elected Mayor, with the consent and approval of the Board of Aldermen, will be entering into contracts with BB& T Leasing Corporation for the purchase of:

Community Park Ballfield Lighting

WHEREAS, the said contracts qualify as tax-exempt obligations of the town, pursuant to the Internal Revenue Code of 1986.

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

Section 1. The aforesaid contracts by and between the Town of Carrboro and Southern National Leasing Corporation, together with the amounts to be paid thereunder, be and the same are hereby designated as a qualified tax-exempt obligations of the town for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986.

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 22nd day of October, 1996:

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

Noes: None

Absent or Excused: None

APPOINTMENT TO RECREATION & PARKS COMMISSION

The Chair of the Recreation & Parks Commission recommended that Terry Murphy be appointed to an in-town seat on the Commission.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO APPOINT TERRY MURPHY TO THE PARKS & RECREATION COMMISSION. VOTE: AFFIRMATIVE ALL

CANCELLATION OF NOVEMBER 5TH BOARD MEETING

The administration requested that the Board cancel its regular meeting scheduled for Tuesday, November 5th due to that being Election Day.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO CANCEL THE NOVEMBER 5TH MEETING OF THE BOARD OF ALDERMEN. VOTE: AFFIRMATIVE ALL

RESOLUTION OF APPRECIATION/DONATION BY GREGG IRELAND FAMILY

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Hilliard Caldwell.

A RESOLUTION OF APPRECIATION
RECREATION AND PARKS DONATION
BY THE GREGG IRELAND FAMILY
Resolution No. 26/96-97

WHEREAS, the family of Gregg Ireland has generously offered a cash donation of \$750 to the Town's youth athletic program to help with equipment and other expenses; and,

WHEREAS, this donation will provide means for the Recreation and Parks Department to purchase an indoor/outdoor scoreboard which will be beneficial to its youth athletic program and a specific improvement made possible by the donation.

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

Section 1. On behalf of the Town of Carrboro and its citizens, the Board of Aldermen hereby expresses its sincere thanks and gratitude to the Gregg Ireland Family for their generous donation.

Section 2. This resolution shall be entered into the official minutes of the Board of Aldermen and a copy thereof shall be delivered to the Gregg Ireland 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 22nd day of October, 1996:

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

Noes: None

Absent or Excused: None

A RESOLUTION COMMENDING THE WORK OF THE MEMBERS OF THE SMALL AREA PLANNING WORK GROUP

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

**A RESOLUTION COMMENDING THE MEMBERS OF THE
SMALL AREA PLANNING WORK GROUP FOR THE WORK DONE
AND THEIR CONTINUED PARTICIPATION IN THE FACILITATED PROCESS**

Resolution No. 25/96-97

WHEREAS, the Carrboro Board of Aldermen, on February 02, 1993, appointed thirty-three citizens to serve on the Small Area Planning Work Group; and

WHEREAS, the objective of the Small Area Planning Work Group was to develop a detailed plan for the growth and development of the northern part of Carrboro and its Transition Area; and

WHEREAS, the Small Area Planning Work Group worked diligently to achieve its goal as charged by the Board of Aldermen; and

WHEREAS, the Small Area Planning Work Group considered issues regarding transportation; conservation of farmlands, natural areas and environmentally sensitive areas; recreation and park issues; growth patterns and their impacts; preservation of the Town's character; and the protection of existing neighborhoods; and

WHEREAS, the Small Area Planning Work Group, having considered the aforementioned issues, presented its proposed *Plan for Carrboro's Northern Study Area* to the Board of Aldermen on February 06, 1996; and

WHEREAS, the Carrboro Board of Aldermen, on February 13, 1996, proposed a facilitated meeting process to address concerns of the citizenry regarding the proposed *Plan for Carrboro's Northern Study Area*.

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

SECTION 1. The Small Area Planning Work Group's committed time and efforts to developing a plan for the growth and development of the northern part of Carrboro and its Transition Area is greatly appreciated.

SECTION 2. The participation of the members of the Small Area Planning Work Group in the facilitated meetings proposed to address citizens' concerns is solicited by the Board as needed to achieve a balanced discussion and successful final plan.

SECTION 3. The work and service of the Small Area Planning Work Group, on behalf of the Town of Carrboro, is appropriately recognized and appreciated, and the Small Area Planning Work Group is hereby officially dissolved.

SECTION 4. 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 22nd day of October, 1996:

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

Noes: None

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

Noes: None

Absent or Excused: None

WORKSESSION AND REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/ROADWAY DESIGN SPECIFICATIONS; APPENDIX C, STANDARD DRAWINGS; AND APPENDIX E

The purpose of this item was to request that the Mayor and Board of Aldermen consider the proposed ordinance amendment information, state preferences, direct the town attorney to draft an appropriate ordinance, and set a public hearing for November 19, 1996.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY ALEX ZAFFRON TO DIRECT THE TOWN ATTORNEY TO PREPARE THE NECESSARY LAND USE ORDINANCE TEXT AMENDMENT BASED ON THE RECOMMENDATIONS OF THE NEIGHBORHOOD ROADWAY DESIGN COMMITTEE AND TOWN STAFF, THAT A PUBLIC HEARING BE SET FOR NOVEMBER 19, 1996, AND THAT THE PROPOSED AMENDMENT BE REFERRED TO THE PLANNING BOARD AND TRANSPORTATION ADVISORY BOARD FOR REVIEW AND COMMENT. VOTE: AFFIRMATIVE ALL

WORKSESSION AND REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/FENCE SETBACKS FROM DOUBLE FRONTAGE LOTS

The purpose of this item was to request that the Mayor and Board of Aldermen consider setting a public hearing for November 19, 1996 which would clarify that Section 15-184(a)(3) of the Land Use Ordinance shall not apply to fencing along a rear property line which coincides with a street right-of-way.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO REQUEST THAT THE TOWN STAFF DEFINE WALLS AND FENCES AND REQUEST THAT THE PLANNING BOARD AND APPEARANCE COMMISSION DISCUSS WHAT RESTRICTIONS SHOULD BE PLACED ON FENCES AND WALLS ALONG PUBLIC RIGHTS-OF-WAY AND STREET FRONTAGES. VOTE: AFFIRMATIVE ALL

AWARD OF BID/DEMOLITION AND DISPOSAL OF OLD FARMERS' MARKET ON ROBERSON STREET

The purpose of this agenda item was to award a contract for the demolition and removal of the Old Farmers' Market located on Roberson Street. The town staff received three sealed bids in response to the Town's request for bids and recommended that the Board award the contract to the lowest responsible bidder--Cecil Holcomb Renovations, Inc. for a total cost of \$5,700. In addition, the administration requested that the Board adopt a budget amendment transferring \$5,700 from the sale of fixed assets to providing funding for this project.

Kathy Duncan, the town's Purchasing Officer, stated that Habitat for Humanity had been contacted to determine their interest in the materials from the market, but they stated that they were not interested.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY HANK ANDERSON TO AWARD THE BID TO CECIL HOLCOMB RENOVATIONS, INC. FOR A TOTAL COST OF \$5,700, AND THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'96-97 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO ORANGE COMMUNITY HOUSING BOARD OF DIRECTORS

Alderman Gist stated the Town of Carrboro needs a representative to serve on the Orange Community Housing Board of Directors. Alderman Gist recommended that Allison Weiner be appointed to this position.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO APPOINT ALLISON WEINER TO SERVE AS THE TOWN OF CARRBORO'S REPRESENTATIVE ON THE ORANGE COMMUNITY HOUSING BOARD OF DIRECTORS. AFFIRMATIVE ALL

ASSEMBLY OF GOVERNMENTS MEETING TO DISCUSS SOLID WASTE ISSUES

Alderman Gist stated that the follow up meeting of the Assembly of Governments to continue discussion of landfill issues needs to be scheduled.

It was the consensus of the Board to request that the Assembly of Governments meeting be scheduled for November 13th or 14th.

The Board requested that a Board discussion of unit-based pricing vs. collection bans, universal collection, waste to energy (VEDCO) alternatives be scheduled.

INTRODUCTION OF NEW EMPLOYEES

Alderman Bryan requested that the town staff begin introducing new town employees to the Mayor and Board of Aldermen.

MODIFICATION OF CONSENT AGENDA ITEMS

Alderman Bryan requested that award of bids not be included as consent agenda items on future agendas.

CONSTITUTIONAL AMENDMENTS FOR NOVEMBER 5TH BALLOT

Alderman Bryan requested that the town staff have the proposed constitutional amendments that will be on the ballot for the November 8th election placed on CVI's community bulletin.

RESOLUTION SUPPORTING THE PASSAGE OF THE NOVEMBER, 1996 STATEWIDE SCHOOL BOND

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Hank Anderson.

A RESOLUTION SUPPORTING THE PASSAGE OF
THE NOVEMBER, 1996 STATE-WIDE SCHOOL BOND
Resolution No. 29/96-97

WHEREAS, the Orange County Schools and Chapel Hill-Carrboro City Schools capital improvements plans reflect the need for substantial financial investment in the construction of new school space; and

WHEREAS, successful implementation of an Orange County funding plan for these school capital needs depends heavily on passage of the November, 1996 state-wide school bond that would provide approximately \$17 million in school capital funding to the two school systems in Orange County.

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

Section 1. The Board hereby expresses its support for passage of the state-wide school bond during the November 5, 1996 election.

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 22nd day of October, 1996:

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

Noes: None

Absent or Excused: None

AMENDMENT TO CAROLINA SPRING SENIORS APARTMENT COMPLEX CONDITIONAL USE PERMIT

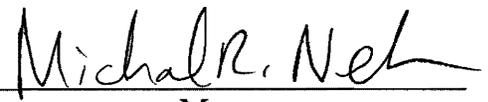
The developer of Carolina Spring Seniors Apartment Complex requested a clarification of the Board's action on condition #6 of their conditional use permit issued by the Board of Aldermen on March 26, 1996. Condition #6 states: "That road improvement requirements be delayed in an effort to assist the developer in meeting deadline dates of the North Carolina Housing Finance Agency." According to the developer, it was his understanding that it was the Board's intent not to require the improvements to Old Fayetteville Road to be made.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO AMEND CONDITION #6 OF THE CAROLINA SPRING SENIORS APARTMENT COMPLEX CONDITIONAL USE PERMIT TO READ AS FOLLOWS:

- 6. That the Old Fayetteville Road improvements be deleted with the exception of the bus pull off and sidewalk.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HILLIARD CALDWELL TO ADJOURN TO CLOSED SESSION AT 9:00 P.M. VOTE: AFFIRMATIVE ALL



 Mayor

Town Clerk