

A regular meeting of the Carrboro Board of Aldermen was held on June 12, 1984 at 7:30 p.m. in the Town Hall Board Room, the regular place of meeting.

Present and presiding:

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|---------------|---------------------|
| Mayor | James V. Porto, Jr. |
| Aldermen | Zona Norwood |
| | Jim White |
| | John Boone |
| | Doug Anderson |
| | Joyce Garrett |
| Town Manager | Robert W. Morgan |
| Town Clerk | Sarah C. Williamson |
| Town Attorney | Michael B. Brough |

Absent:
Alderman Hilliard Caldwell

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE MINUTES OF MAY 22, 1984 BE APPROVED WITH CORRECTIONS. VOTE: AFFIRMATIVE ALL

VOTE OF APPRECIATION

The Board expressed its appreciation to Don Casper for a job well done during the time he served as Interim Town Manager. In addition, the Board expressed its appreciation to the town staff for coping so well under the restrictions of a tight budget and its ability to end the year with a \$90,000 fund balance.

CHARGE TO NEW TOWN BOARD MEMBERS

A charge was issued by the Town Clerk to Donald Peninger, a recent appointee to the Planning Board and Douglas Sharer, a recent appointee to the Transportation Advisory Board.

REQUESTS TO SET PUBLIC HEARINGS

(1) Conditional Use Permit Request/Chambers Ridge

Queens Realty Group of Charlotte has applied for a conditional use permit which will allow construction of 102 multi-family rental units on a 9-acre parcel on the south side of Westbrook Drive, formerly a part of the Weatherhill property. The parcel is presently zoned Residential-3.

The administration requested that a public hearing be set for June 26, 1984.

(2) Conditional Use Permit Request/Fidelity Street Project

David Curl Building Associates has applied for a conditional use permit which will allow construction of 36 multi-family units in an architecturally integrated subdivision on three parcels of land known as the Howard Hearn Subdivision on Fidelity Street. The parcels are identified as Tax Map 98, Block 1, Lot 2B; Tax Map 102, Block D, Lot 28; and Tax Map 98, Block 1, Lot 2. The parcels are presently zoned Business-3.

The administration recommended that a public hearing be set for June 26, 1984.

Mr. Thorn to the Downtown Revitalization Committee until additional charges are assigned to the Committee.

AMENDMENTS TO DRAINAGE POLICY

At its meeting on May 22, 1984, the Board of Aldermen adopted in principal several revisions to the town's drainage policy and directed the Town Attorney and Public Works Director to incorporate these changes into a revised town drainage policy statement. The revised policy and adopting resolution are attached.

The Board of Aldermen at its worksession held on June 6, 1984 recommended adoption of the revised policy and adopting resolution.

The following resolution was introduced by Alderman Boone and duly seconded by Alderman White.

A RESOLUTION REVISING THE TOWN'S DRAINAGE POLICY

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The attached town drainage policy, incorporated by reference herein, is hereby adopted.

Section 2. The attached policy becomes effective upon adoption and supersedes all previously adopted policies. However, the Tom's Creek Project, which has previously been considered by the town and respect to which the town has been awarded some funding assistance by the State and has applied for additional funding, shall not be affected or controlled by the attached policy.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of June, 1984:

Ayes: Boone, White, Norwood, Anderson
Noes: Garrett
Absent or Excused: Caldwell

REQUEST FOR APPROVAL OF PROCEDURE FOR DISPOSING OF SURPLUS ITEMS WORTH LESS THAN \$500

Recently adopted legislation gives city councils the right to set up policies governing the disposal of town personal property valued at less than \$500.00 (any one item or a group of items). These policies would establish a procedure that would allow a designated town employee to arrange for disposal of surplus or outdated approval of relatively low value without securing council approval in each instance.

The administration recommends adoption of the attached resolution authorizing the convenient disposal of surplus personal property owned by the town having a value of less than \$500.00.

The Board of Aldermen at its worksession held on June 6, 1984, concurred with the administration's recommendation.

The following resolution was introduced by Alderman White and duly seconded by Alderman Boone.

A RESOLUTION AUTHORIZING THE CONVENIENT DISPOSAL OF SURPLUS PERSONAL PROPERTY OWNED BY THE TOWN HAVING A VALUE OF LESS THAN \$500

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Town Manager is authorized to declare surplus any personal property valued at less than \$500.00 for one

BOARD OF ALDERMEN

Item No D(4)

ACTION AGENDA ITEM ABSTRACT

MEETING DATE: 6/12/84

Subject: Amendments to Stormwater Drainage Policy

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|---|
| Department: Town Attorney |
| Attachment(s): Drainage Policy Resolution |

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| Public Hearing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| For Information Contact: Mike Brough, Ext. 216 |

The following information is provided:

Background Action Requested Analysis Alternatives Recommendations

Background

At the Adueduct Planning Conference, the Board of Aldermen instructed the staff to review the drainage policy that has been in operation for several years in the town. Pursuant to that request, the administration presented proposals for revision to the Board at its worksession on May 16, 1984. At its regular meeting on May 22, 1984, the Board of Aldermen adopted in concept a revised drainage policy and directed the Town Attorney and Public Works Director to incorporate the revisions into a revised town drainage policy statement. The revised policy, together with an adopting ordinance are attached.

Action Requested

The administration requests that the Board adopt the attached resolution adopting a revised drainage policy that incorporates the changes agreed upon by the Board.

The following resolution was introduced by Alderman Boone
and duly seconded by Alderman White.

A RESOLUTION REVISING THE TOWN'S DRAINAGE POLICY

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The attached town drainage policy, incorporated by reference herein, is hereby adopted.

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The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of June, 1984:

Ayes: Boone, White, Norwood, Anderson

Noes: Garrett

Absent or Excused: Caldwell

TOWN DRAINAGE POLICY

The following constitutes a statement of the official policy of the Town of Carrboro, as adopted by the Board of Aldermen on June 12, 1984, relating to the improvement and maintenance of drainage ways within the town. This supersedes all previously adopted policies.

I. Drainage on Public Rights-Of-Way and Easements

The town will continue to maintain at its own expense all drainage ditches, piped and unpiped, and other drainage ways located within public street rights-of-way or drainage easements conveyed to and accepted by the town.

II. Drainage Problems On Private Property For Which the Town Is Legally Responsible

The town will correct at its own expense a drainage problem created on private property where it is demonstrated to the reasonable satisfaction of the Public Works Director that: (i) surface water is being channeled from the public street right-of-way onto private property in a location where water would not naturally have flowed in the pre-development stage; or (ii) the drainage problem is created by water being channeled from the public street right-of-way onto private property, into a natural drainage way that is inadequate to handle the volume of water so channeled, and a substantial portion of the water consists of runoff from land not drained by the natural drainage way in the predevelopment stage; or (iii) the town is otherwise legally responsible and liable for creating the drainage problem.

III. Town Participation In Drainage Improvements On Private Property Where The Town Is Not Legally Responsible For The Drainage Problem.

A. The Board of Aldermen has determined that drainage problems exist throughout the town and that it is in the public interest and serves a public purpose for the town to establish a public drainage system and to participate in the costs of making improvements to the public drainage system in accordance with the policies and procedures set forth in this section.

B. The Board of Aldermen hereby adopts that map entitled Stormwater Drainage Map and dated May 1, 1984 as the official public drainage system map for the town. The map indicates the network of natural drainage ways located on private property within the town that the town will improve and maintain, subject to the remaining provisions of this section. This map may be amended from time to time by resolution of the Board.

C. A property owner or owners desiring town assistance under this section in correcting a drainage problem shall present a petition to the town (on a form furnished by the town) requesting such assistance and signed by the owners of all properties where work will have to be done to make the necessary improvements.

D. Approval of projects by the Board of Aldermen shall be based upon the availability of funds, and priority for available funds shall be determined according to (i) the date a fully completed petition was submitted and (ii) the relative seriousness of the drainage problem, considering such factors as the danger to existing buildings, potential soil erosion problems or other ecological damage, or other potential dangers to the public health or safety.

E. The policy of town participation in drainage improvements set forth in this section is subject to the following qualifications;

(1) The policy applies only to drainage ways identified on the map referenced in subsection B.

(2) The policy applies only to drainage ways crossing lots developed exclusively for single-family detached residences or two-family residences, as defined in the Carrboro Land Use Ordinance.

(3) The policy does not apply to undeveloped lots, except that if a lot capable of development only for single-family or two-family residential use is crossed by a drainage way that also crosses other eligible lots, this shall not defeat the project from consideration. However, the policy is not designed or intended to benefit land developers, who are required by the Land Use Ordinance to handle drainage problems as part of the development process.

(4) No project will be funded unless the town is granted a permanent drainage easement across all properties where improvements are maintained. The town shall prepare the necessary easement forms, but the applicant shall be responsible for obtaining all necessary signatures on the easements.

F. With respect to any project undertaken by the town under this section, the town will bear the initial expense of completing the project and will then recover fifty percent (50%) of the project costs from the benefited property owners through a special assessment procedure. In levying the special assessment, the town will follow the procedures set forth in article 10 of Chapter 160A of the General Statutes. Property owners may pay the special assessment in five annual installments, with the unpaid principal bearing interest at an annual rate of eight percent (8%).