

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 1, 1988 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Randy Marshall
	Tom Gurganus
	Hilliard Caldwell
	Frances Shetley
	Judith Wegner
	Jay Bryan
Town Manager	Robert W. Morgan
Deputy Town Clerk	Ellen G. Hughes
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

Board delayed approval of minutes of February 23, 1988 until the March 8th in order to allow for some additions to those minutes.

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CHARGE ISSUED TO NEW BOARD APPOINTEE

The Deputy Town Clerk issued a "charge" to Kenneth Gibson, a recent appointee to the Transportation Advisory Board.

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PUBLIC HEARING/TOWN CODE AMENDMENT REQUIRING ANIMALS TO BE LEASHED ON TOWN PROPERTY

This was public hearing to receive citizen comments on a proposed amendment to the Town Code requiring all animals on town property to be secured on a leash.

Capt. Ben Callahan, with the Carrboro Police Department, stated that the current ordinance states that animals have to be under the control of the owner when off the owner's property. This has been interpreted to mean that voice control is enough to be under control. It appears that voice control is not adequate in town parks when people and animals mix in large groups. It is being recommended that the ordinance be changed to require that animals be leashed and well as under voice control while on town property.

David Kitzmiller, a resident of Hanna Street, stated that space is needed to exercise animals.

Gladys Davis complained about animals running loose at night.

Warren Nord stated opposition to the proposed ordinance and suggested hours or some form of alternative other than requiring animals to be on a leash all the time.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK.  
VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF CARRBORO," BE ADOPTED REQUIRING THAT ALL ANIMALS ON TOWN PROPERTY BE SECURED ON A LEASH WITH A CIVIL PENALTY OF \$10.00 FOR THE FIRST VIOLATION, \$15.00 FOR THE SECOND VIOLATION AND \$25.00 FOR THE THIRD AND SUBSEQUENT VIOLATIONS. VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE (GURGANUS, KINNAIRD, SHETLEY, WEGNER, BRYAN)

It was the consensus of the Board to request the administration investigate the possibility of encouraging citizens to have dogs spayed or neutered through taxation. In addition, the Board requested the staff have signs posted on town property advising citizens of the town's current animal control laws.

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PUBLIC HEARING/1988-89 BUDGET PREPARATION

This was a public hearing to receive citizen input for consideration in the preparation of the 1987-88 budget, including the capital improvements plan.

Mayor Kinnaird read a request from Sara Patterson of 111 Pine Hill Drive requesting that traffic improvements be made, including sidewalks.

Marti Mandel, a resident of Pine Street, requested that the town look at a means of collecting household hazardous wastes, requested the Board consider making a contribution to the Chapel Hill Public Library, requested the town support the Farmers' Market, requested the town support a community center with a reading room, requested the town support a museum or collection center to receive artifacts, and spoke in favor of the town's beautification program. Ms. Mandel also spoke in favor of a town clock for the town.

Bill Sparks requested a review of the town's legal services.

Kathy Newell, a resident of Pine Street, requested the town support a community center with a pool, basketball courts and rooms for senior citizens. In addition, Ms. Newell requested the town staff keep in mind thrift to save money and requested a review of the town's legal services.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK.  
VOTE: AFFIRMATIVE ALL

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SELECTION OF JOINT PLANNING TRANSITION AREA ZONING ALTERNATIVES

In order to implement the Joint Planning Agreement, the town must recommend to the County a zoning scheme for Carrboro's Joint Planning Transition Area. That zoning scheme will be considered along with Chapel Hill's proposed Transition Area Zoning at a joint Chapel Hill-Carrboro-County public hearing scheduled for April 12, 1988. The administration recommended that the Board of Aldermen recommend Transition Area Zoning Alternative #1.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY HILLIARD CALDWELL THAT ALTERNATIVE #3 BE RECOMMENDED TO THE ORANGE COUNTY COMMISSIONERS. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MARSHALL, KINNAIRD, WEGNER)

The following resolution was introduced by Alderman Tom Gurganus and duly seconded by Alderman Randy Marshall.

A RESOLUTION REQUESTING ORANGE COUNTY TO AMEND ITS  
ZONING ATLAS AND JOINT PLANNING AREA LAND USE PLAN  
Resolution No. 37/87-88

WHEREAS, Orange County, the Town of Chapel Hill and the Town of Carrboro entered into a Joint Planning Agreement on November 2, 1987; and

WHEREAS, Section 2.1b of that agreement calls for Carrboro to prepare a zoning map for the portion of the transition area that lies within the Carrboro Joint Development Review Area (CJDA); and

WHEREAS, the Carrboro Board of Aldermen conducted a public hearing on February 23, 1988 to consider alternative zoning proposals and to receive public comment regarding transition area zoning alternatives; and

WHEREAS, the Carrboro Board of Aldermen, as provided for by Section 2.1b of the Joint Planning Agreement, has voted to recommend the attached Alternative #3 for adoption by Orange County in the CJDA.

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

Section 1. The Board hereby requests the Orange County Board of Commissioners to consider the attached Orange County Zoning Atlas amendment at its public hearing scheduled for April 13, 1988 and to take action as specified by Section 2.1 of the Joint Planning Agreement.

Section 2. The Board further requests the Orange County Board of Commissioners to amend the Orange County Land Use Plan Map to show the location of and to provide a description of Transition Areas I and II for the Carrboro Joint Development Review Area (CJDA) as per the Joint Planning Area Agreement adopted on November 2, 1987.

Section 3. The Board requests that the Orange County Commissioners maintain the Transition Area I boundary of Dairyland Road and Old N.C. 86 in Calvander, as presently shown on the Orange County Land Use Plan.

Section 4. The Board recommends that the Orange County Board of Commissioners adjust the Northern Transition Area II boundary to coincide more or less with the southern boundary of the Duke Forest properties.

Section 5. The Board concurs with the University of North Carolina's request to change the public/private open space land use designation shown on the Orange County Land Use Plan Map for the UNC properties located in Transition Area I to a more appropriate land use designation.

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 1st day of March, 1988:

Ayes: Tom Gurganus, Hilliard Caldwell, Frances Shetley, Jay Bryan

Noes: Randy Marshall, Eleanor Kinnaird, Judith Wegner

Absent or Excused: None

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CONDITIONAL USE PERMIT MODIFICATION/WEATHERHILL POINT

Helen Waldrop, the town's zoning administrator, stated that Wells Management Group, Inc. had applied for a conditional use permit modification of the approved Weatherhill Point plans, dated

February 24, 1987. The application requested larger building areas, which would allow more flexibility for siting new houses on the lots. Weatherhill Point is an architecturally integrated subdivision of 56 single-family units. The property is identified as Tax Map 116A, Block E, Lot 1 and is zoned R-3 and R-SIR.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY FRANCES SHETLEY THAT THE MODIFICATION TO ALLOW ALTERATION OF THE BUILDING AREAS ON THE PREVIOUSLY APPROVED PLANS DATED FEBRUARY 24, 1987, BE APPROVED. VOTE: AFFIRMATIVE ALL

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CARRBORO ELEMENTARY SCHOOL-PARK AGREEMENT AMENDMENT

Richard Kinney, the town's Recreation & Parks Director, stated that the town is presently working with the Carrboro Elementary School PTA to build a track at the school. The town will build the track, be reimbursed by the PTA for all costs associated with construction, and the school system will provide future maintenance. Mr. Kinney stated that the School Board would like to amend the School-Park Agreement, dated March 15, 1974 and the administration concurs and recommended that the Board of Aldermen authorize the Town Manager to execute the amended agreement to reflect these additions.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE TOWN MANAGER BE AUTHORIZED TO EXECUTE AN AMENDED AGREEMENT TO ADD THE FOLLOWING TWO CONDITIONS:

a) That the Town of Carrboro agrees to construct a running track under the same terms and conditions with the exception that the Board of Education will assume responsibility for maintaining the track in appropriate condition for as long as the track is used in conjunction with the educational program at Carrboro Elementary School; and

b) The Town of Carrboro agrees to remove trash and debris resulting from general public use from the shared-use facilities. The School Board will be responsible for cleaning up refuse from school activities.

VOTE: AFFIRMATIVE ALL

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DOWNTOWN SHUTTLE BUS

The Chapel Hill-Carrboro Downtown Commission has requested that a no-fare shuttle bus program be created on a trial basis to operate in the Chapel Hill and Carrboro downtown areas in conjunction with the Main Street program. The Town of Chapel Hill is proposing to assist with the trial shuttle service by using two of its older buses to run the Henderson Street to downtown Carrboro loop at an estimated 9 to 10-minute cycle. The cost of this shuttle service for a 90 days is estimated to be \$13,200, with the Downtown Commission providing \$5,000, the Town of Chapel Hill providing \$6,950 and the Town of Carrboro providing \$1,250.

The administration recommended that the Town Manager be authorized to cooperate with the Town of Chapel Hill and the Downtown Commission in the implementation of the 90-day trial downtown shuttle bus program and that \$1,250 be allocated for this service.

Carol Drinkard, representing the Downtown Development Commission, stated that the Commission unanimously endorsed the concept of a downtown shuttle because businesses would become more accessible in the downtowns, it would attract attention and promote the downtowns, and it would allow senior citizens to get around easier in the downtowns.

Alderman Shetley stated that the Transportation Advisory Board recommended against the downtown shuttle at this time because the TAB had not seen nor heard any expressed demand for this service. In addition, the TAB has concluded that a shuttle service to the University from the Plantation Plaza Park and Ride lot should have first priority and the first opportunity for funding.

The following resolution was introduced by Alderman Judith Wegner and duly seconded by Alderman Randy Marshall.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO COOPERATE  
WITH THE TOWN OF CHAPEL HILL AND THE CHAPEL HILL-CARRBORO  
DOWNTOWN COMMISSION IN THE IMPLEMENTATION OF A 90-DAY  
TRIAL DOWNTOWN SHUTTLE BUS PROGRAM  
Resolution No. 38/87-88

WHEREAS, the Board of Aldermen supports the efforts of the Chapel Hill-Carrboro Downtown Commission; and

WHEREAS, the Downtown Commission has identified traffic congestion, the availability of convenient parking and mobility within the downtowns of Chapel Hill and Carrboro as areas in need of improvements; and

WHEREAS, the Downtown Commission believes the implementation of a downtown fare-free shuttle bus service may help alleviate the problems facing the downtown areas; and

WHEREAS, the Downtown Commission has committed its best efforts to raise up to \$5,000, amounting to approximately one-half of the local costs necessary for a 90-day downtown shuttle bus trial program.

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

Section 1. That the Town Manager is hereby authorized to cooperate with the Town of Chapel Hill and the Chapel Hill-Carrboro Downtown Commission in the implementation of the 90-day trial downtown shuttle bus program.

Section 2. The Town of Carrboro commits up to \$1,250 towards the cost of the trial shuttle bus program.

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 1st day of March, 1988:

Ayes: Randy Marshall, Hilliard Caldwell, Eleanor Kinnaird,  
Judith Wegner, Frances Shetley

Noes: Tom Gurganus, Jay Bryan

Absent or Excused: None

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CHAPEL HILL/CARRBORO TRAFFIC SIGNAL SYSTEM

Roy Williford, the town's Planning Director, stated that the Town of Chapel Hill has included a traffic signal upgrade component in its 1988-89 Capital Improvements Program. The general intention of this component is to work toward a "closed-loop" signal system which will be centrally controlled and to transfer signal system

responsibility from the N.C. Department of Transportation to the town.

Mr. Williford stated that the administration recommended that the Board of Aldermen adopt a resolution expressing the town's interest in proceeding with a joint traffic control effort with the Town of Chapel Hill.

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Judith Wegner.

A RESOLUTION SUPPORTING A COORDINATED EFFORT  
BETWEEN CHAPEL HILL AND CARRBORO TO ESTABLISH  
A LOCALLY OPERATED TRAFFIC CONTROL PROGRAM  
Resolution No. 39/87-88

WHEREAS, the Town of Carrboro, through the 1984 Traffic Signal Evaluation Report, recognizes the need for and the potential benefits which may accrue from a locally operated traffic control system; and

WHEREAS, the Town also foresees the advantages of procuring and implementing a closed looped signal system or other appropriate system; and

WHEREAS, the town understands that a cooperative effort with the Town of Chapel Hill and the State will be required to implement a logical and financially sound traffic control program; and

WHEREAS, the Town of Chapel Hill, through their 1988-1993 Capital Improvements Program, recognizes the need for the Town of Carrboro's participation.

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

Section 1. The Board, by way of this resolution, wishes to express to the Town of Chapel Hill its desire to work cooperatively with the Town of Chapel Hill and the State towards the implementation of a locally operated Chapel Hill-Carrboro traffic control program.

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 1st day of March, 1988:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Judith Wegner, Frances Shetley, Jay Bryan

Noes: None

Absent or Excused: None

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REQUEST TO USE SALES TAX PROCEEDS

Mr. Morgan stated that the administration recommended adoption of the a resolution requesting approval from the Local Government Commission for the town to use all of the revenues from the one percent additional sales tax for purposes other than water or sewer facilities.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Randy Marshall.

A RESOLUTION REQUESTING APPROVAL FROM THE LOCAL GOVERNMENT COMMISSION FOR THE TOWN TO USE ALL OF THE REVENUES FROM BOTH ADDITIONAL ONE-HALF PERCENT SALES TAX FOR PURPOSES OTHER THAN WATER OR SEWER FACILITIES  
Resolution No. 40/87-88

WHEREAS, the Town of Carrboro has not operated a water or sewer system since 1977; and

WHEREAS, water and sewer facilities are provided to the Town of Carrboro and other areas within southern Orange County by the Orange Water and Sewer Authority (OWASA), a separate, incorporated unit of local government duly constituted under G.S. Chapter 162A; and

WHEREAS, OWASA, not the Town of Carrboro, is responsible for meeting the projected capital needs for water and wastewater within OWASA's service area; and

WHEREAS, OWASA has the financial resources through its rate structure and bonding authority to meet the water and wastewater capital needs of its service area; and

WHEREAS, it clearly appears that OWASA can meet all of its capital needs during the petition period;

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

Section 1. This petition shall apply to the period beginning July 1, 1988 - June 30, 1990.

Section 2. During the petition period, as set forth in Section 1, the Board of Aldermen requests that the Local Government Commission authorize the town to use all of the revenues generated by the additional one-half percent sales tax for purposes other than water and sewer facilities.

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 1st day of March, 1987:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Judith Wegner, Jay Bryan

Noes: None

Absent or Excused: None

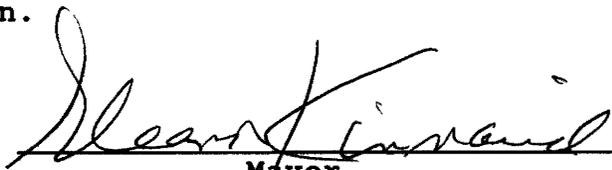
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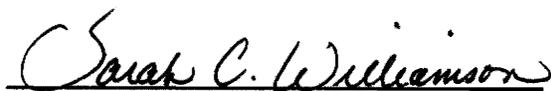
PUBLIC HEARING SET/LAND USE ORDINANCE MAP AMENDMENT/R-SIR PROPERTIES TO R-10

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT A PUBLIC HEARING BE SET FOR APRIL 5, 1988 TO RECEIVE CITIZEN INPUT ON THE PROPOSAL TO REZONE R-SIR PROPERTIES TO R-10 WITH THE UNDERSTANDING THAT THIS WOULD BE AN INTERIM MEASURE UNTIL SUCH TIME THAT THE BOARD DECIDES WHAT TO DO ON A PERMANENT BASIS WITH THE R-SIR ZONE. VOTE: AFFIRMATIVE ALL

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The Board went into executive session to discussion matters involving potential litigation.

  
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Mayor

  
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Town Clerk