

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 3, 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 Hughes
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF APRIL 26, 1988 BE APPROVED, AS CORRECTED. VOTE: AFFIRMATIVE ALL

PROCLAMATION ISSUED

Mayor Kinnaird issued a proclamation proclaiming the month of May as Bicycle Commuter Month in the Town of Carrboro.

REQUEST FROM SOUTH ORANGE RESCUE SQUAD

Mr. Jim Summers, representing the South Orange Rescue Squad, requested assistance from the Board to allow an addition to the rescue squad building. Mr. Summers stated that there seemed to be a problem with building setbacks.

It was the consensus of the Board to request the town staff to prepare an amendment to the land use ordinance to allow for expansion of the South Orange Rescue Squad building. The Board requested that this matter be placed on the May 10, 1988 agenda to set a public hearing.

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO PROHIBIT DEVELOPMENTS CONTAINING MORE THAN FOUR LOTS OR DWELLING UNITS SERVED BY SEPTIC TANKS IN THE WATERSHED

Ann Weeks, the town's senior planner, stated that this was a public hearing to receive citizen comments on a proposed amendment to the Land Use Ordinance which would prohibit approval of developments containing more than four units or lots within the University Lake Watershed if the proposed means of sewage disposal involves use of septic tanks or other individual ground absorption sewage treatment systems of less than 3,000 gallons per day. Ms. Weeks stated that the administration recommended approval of the proposed amendment.

Robin Lackey, Chair of the Planning Board, stated that the Planning Board recommended denial of the proposed amendment. Ms. Lackey stated that the Planning Board felt the proposed ordinance did not accomplish the objective to put a moratorium on development in the watershed, and that the proposed ordinance would force developers to use package treatment plants. The Planning Board agreed that there should be restrictions on development in the watershed. There were several members who felt a complete moratorium on development in the watershed was advisable pending completion of the OWASA study and other members felt that development should be limited to four lots. These were

the reasons why the Planning Board recommended denial of the proposed ordinance.

Pat Davis, representing OWASA, stated that the OWASA Board of Directors were in favor of the proposed ordinance to provide restrictions over the use of alternative systems in the interim until the watershed study is completed (April, 1989). OWASA would like to see in addition to the proposed ordinance restrictions on the use of cluster wastewater disposal systems.

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 JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "A TEMPORARY ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROHIBIT WATERSHED DEVELOPMENTS CONTAINING MORE THAN FOUR LOTS OR DWELLING UNITS SERVED BY SEPTIC TANKS OR OTHER GROUND ABSORPTION SEWAGE TREATMENT SYSTEMS WHERE THE DESIGNED SEWAGE FLOW CAPACITY IS LESS THAN 3,000 GALLONS PER DAY," BE ADOPTED, AMENDED AS FOLLOWS: THAT THE SECOND SENTENCE IN SECTION 2. BE AMENDED TO READ "THIS ORDINANCE WILL BE RE-EXAMINED BY THE BOARD OF ALDERMEN UPON THE COMPLETION OF THE ORANGE WATER AND SEWER AUTHORITY'S WATERSHED STUDY, NOT TO EXCEED APRIL, 1989," AND THAT SECTION 3 BE AMENDED TO READ "ALL PROVISIONS OF ANY TOWN ORDINANCE IN CONFLICT WITH THIS ORDINANCE ARE SUPERSEDED." VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JUDITH WEGNER THAT THE TOWN ATTORNEY BE INSTRUCTED TO PREPARE AN AMENDMENT TO THE LAND USE ORDINANCE TO PROHIBIT THE USE OF LOW-PRESSURE TREATMENT SYSTEMS WITH A CAPACITY OF 3,000 GALLONS PER DAY IN THE WATERSHED. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (CALDWELL, GURGANUS, MARSHALL)

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO REQUIRE OWASA'S CERTIFICATION OF WATER AND SEWER SERVICES INCLUDE DESCRIPTIONS OF ALL REQUIRED EASEMENTS

Ann Weeks, the town's senior planner, stated that this was a public hearing to receive citizen comments on a proposed amendment to the Land Use Ordinance which would require OWASA to identify, at the time of certification of water and sewer availability, the locations of all easements which they will require of a developer. Ms. Weeks stated that the administration and the Planning Board recommended approval of the proposed ordinance.

Pat Davis, representing OWASA, stated that OWASA was in favor of the proposed ordinance amendment. Mr. Davis stated that OWASA does not always see water and sewer plans before permits are issued, but that OWASA is becoming more involved early in the site plan review process.

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

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO REQUIRE THAT OWASA'S CERTIFICATION OF THE AVAILABILITY OF WATER AND SEWER SERVICES ALSO INCLUDE DESCRIPTIONS OF ALL REQUIRED EASEMENTS," BE ADOPTED, AMENDED AS FOLLOWS: THAT SUBSECTION 1.(C) BE AMENDED TO READ "ANY CERTIFICATION BY OWASA PURSUANT TO (B)2.A. OR (B)5.B. OF THIS SECTION SHALL IDENTIFY ON APPROPRIATE PROJECT PLANS, THE LOCATIONS OF ALL EASEMENTS WHICH OWASA WILL REQUIRE FROM THE DEVELOPER" AND THAT SUBSECTION 2.(C) BE AMENDED TO READ "ANY CERTIFICATION BY OWASA PURSUANT TO (B)2.A. OR (B)4.B. OF THIS SECTION SHALL IDENTIFY ON APPROPRIATE PROJECT PLANS THE LOCATIONS

OF ALL EASEMENTS WHICH OWASA WILL REQUIRE FROM THE DEVELOPER."
VOTE: AFFIRMATIVE ALL

REPORT FROM OWASA REPRESENTATIVES

The town's representatives on the Orange Water and Sewer Authority Board of Directors (Braxton Foushee and Bill Aderholt) presented a report on the activities of OWASA along with providing responses to questions submitted by Board members. (See Town Clerk's file of this meeting for a copy of responses to questions submitted by Board members.)

Braxton Foushee stated that major projects now under construction in the Town of Carrboro include:

- 1) Barrington Hills Sewer Main - construction to begin in September, 1989;
- 2) Weaver Street Replacement Project - construction should be completed in May, 1988;
- 3) North Greensboro Street Water Main Project - currently under design, construction to begin in Fiscal 1991;
- 4) Phosphate Removal at the Sewage Treatment Plant;
- 5) Budget Planning; and
- 6) Review of Capital Improvement Plan.

TOWN HALL OPEN SPACE PROJECT

Richard Kinney, the town's Recreation Director, stated that the preliminary design for the Town Hall Open Space Project has been reviewed by the Board of Aldermen and all pertinent advisory groups of the town. Mr. Kinney presented a synopsis of the advisory boards' comments on the design, and presented costs for additional design work. Mr. Kinney stated that the administration requested authorization to request State funding for one of the farmers' market shelters (\$57,000) and for the next stage of design work for the entire project (\$7,000). In addition, the administration recommended that the Mayor be directed to discuss with area citizens their interest in serving on a "blue ribbon" committee to devise funding strategies and pursue potential funding sources.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE ADMINISTRATION BE AUTHORIZED TO REQUEST STATE FUNDING IN THE AMOUNT OF \$57,000 FOR ONE OF THE FARMERS' MARKET SHELTERS AND \$7,000 FOR THE NEXT STAGE OF DESIGN WORK FOR THE ENTIRE PROJECT, THAT THE PROJECT BE CALLED THE "TOWN COMMONS", AND THAT THE MAYOR BE DIRECTED TO CONTACT AREA CITIZENS IN REGARDS TO SERVING ON THE BLUE RIBBON COMMITTEE. VOTE: AFFIRMATIVE ALL

DISCUSSION OF POLICIES FOR LEGAL SERVICES

Board members discussed whether to have a full-time staff attorney or contract an attorney.

(The Board took no action on this matter.)

SELECTION OF JOINT PLANNING PUBLIC HEARING DATE

Since the Board of Aldermen decided not to select May 31, 1988 as the date for the joint planning public hearing, alternate dates were requested from Orange County. The alternate dates recommended by the County are: Wednesday, June 1, 1988 or Thursday, June 30, 1988. The administration requested that the Board choose one of the dates to recommend to the County.

It was a consensus of the Board to request that the joint planning public hearing be scheduled for June 30, 1988 to be held either at the Carrboro Elementary School Auditorium or the Chapel Hill Senior High School Cultural Arts Center.

RE-FINANCING OF FHMA BONDS

Larry Gibson, the town's Assistant Town Manager/Finance Director, stated that several financial institutions have expressed an interest in providing re-financing of the town's Recreation and Fire Station Bonds. Under a special limited time "buy-back" program, these bonds are being offered for sale to us by the Farmer's Home Administration at a considerable discount. As of June 30, 1988, the outstanding principal on the Recreation Bonds is \$1,414,000 and on the Fire Station Bonds, \$257,500. With the Farmer's Home discount, our payoffs for the Recreation and Fire Station Bonds are \$733,458 and \$146,473.72, respectively. Mr. Gibson presented information on re-financing proposals from three area banks.

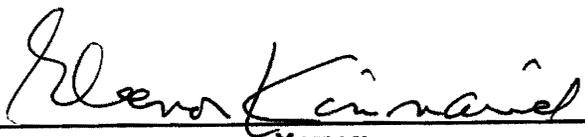
Mr. Gibson stated that if the Board approved one of the re-financing options, the Board would need to authorize the town staff to apply the current budget appropriation for debt service to the 5% payment due to Farmer's Home by May 6th, the Board would need to schedule a refunding bond order and call a public hearing at its May 10th meeting, and the Board would need to hold a public hearing on May 24th and adopt a refunding bond order and sale resolution.

It was a consensus of the Board not to re-finance the town's bonds.

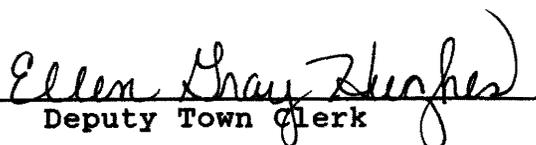
CANCELLATION OF BOARD MEETINGS

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY FRANCES SHETLEY THAT THE JULY 26TH, AUGUST 2ND, AUGUST 9TH, AND AUGUST 16TH MEETINGS OF THE BOARD OF ALDERMEN BE CANCELED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JUDITH WEGNER THAT THIS MEETING BE ADJOURNED. VOTE: AFFIRMATIVE ALL



 Mayor



 Deputy Town Clerk