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

Present and presiding:

Mayor Aldermen Eleanor Kinnaird Randy Marshall Tom Gurganus Hilliard Caldwell Frances Shetley Judith Wegner Jay Bryan

Town Manager Deputy Town Clerk Town Attorney Robert W. Morgan Beth McFarland Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF MAY 24, 1988 BE APPROVED. VOTE: AFFIRMATIVE ALL.

CHARGE ISSUED TO NEW BOARD APPOINTEE

The Deputy Town Clerk issued a "charge" to Leon Fink, a recent appointee to the Board of Adjustment.

PUBLIC HEARINGS SET

(1) Conditional Use Permit Request/Baptist Heritage Church

Baptist Heritage Church has applied for a conditional use permit that allow the construction of a church sanctuary and chapel to be located at 832 Smith Level Road. The parcel is identified as Tax Map 122, Block A, Lot 10 and is zoned R-80. The administration recommended that a public hearing be set for June 21, 1988.

(2) Land Use Ordinance Text Amendment/Prohibition of Watershed Developments Using Package Treatment Plants

The administration recommended that the Board of Aldermen set a public hearing for June 21, 1988 to consider a proposed amendment to the Land Use Ordinance to temporarily prohibit developments in the watershed that contain more than four lots or dwelling units and are served by sewage treatment systems other than the OWASA sewage treatment system.

(3) Land Use Ordinance Text Amendment/Deletion of Hazardous Substances in B-5 and WM-3 Districts

The administration recommended that the Board of Aldermen set a public hearing for June 21, 1988 to consider a proposed amendment to the Land Use Ordinance to delete hazardous substances in B-5 and WM-3 districts.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE REQUESTED PUBLIC HEARINGS BE SET. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO PERMIT THE EXPANSION OF EMERGENCY SERVICES BUILDINGS WHICH ARE NONCONFORMING WITH RESPECT TO SETBACKS

Ann Weeks, the town's senior planner, stated that this was a public hearing to receive citizens' comments on a proposed amendment to the Land Use Ordinance to permit the expansion of a building in use for the provision of emergency services which are nonconforming with respect to setbacks, so long as the expanded building would not intrude further into the setback area.

Ms. Weeks stated that the administration recommended approval of the proposed amendment.

Jim Summers, a member of the South Orange Rescue Squad, spoke in favor of the proposed amendment.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PERMIT THE EXPANSION OF A BUILDING IN USE FOR THE PROVISION OF EMERGENCY SERVICES (USE CLASS 13.000) WHICH ARE NONCONFORMING WITH RESPECT TO SETBACKS, SO LONG AS THE EXPANDED BUILDING WOULD NOT INTRUDE FURTHER INTO THE SETBACK AREA," BE ADOPTED, AMENDED AS FOLLOWS: THAT THE FOLLOWING LANGUAGE BE ADDED AT THE END OF SECTION 1 "PROVIDED THAT TO TAKE ADVANTAGE OF THIS PROVISION, THE PERMIT REQUIRED FOR THE EXPANSION SHALL BE A CONDITIONAL USE PERMIT NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THE TABLE OF PERMISSIBLE USES." VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO RAISE THE CIVIL PENALTY FOR LAND USE ORDINANCE VIOLATIONS

Ann Weeks, the town's senior planner, stated that this was a public hearing to receive citizens comments on a proposed amendment to the Land Use Ordinance to raise the civil penalty for land use ordinance violations from \$25.00 to \$250.00.

Ms. Weeks stated that the administration recommended approval of the proposed amendment. Ms. Weeks stated that the Planning Board had originally planned to review this proposed ordinance at its June 2, 1988 meeting, but due to other items on that agenda, time was not available.

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

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO RAISE THE CIVIL PENALTY FOR ORDINANCE VIOLATIONS FROM \$25.00 TO \$250.00," BE ADOPTED. VOTE: AFFIRMATIVE ALL

A RESOLUTION EXPRESSING THE TOWN OF CARRBORO'S APPRECIATION TO THE GARDEN CLUB COUNCIL OF CHAPEL HILL-CARRBORO FOR DONATING TO THE TOWN \$100.00

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Alderman Judith Wegner.

A RESOLUTION EXPRESSING THE TOWN OF CARRBORO'S APPRECIATION TO THE GARDEN CLUB COUNCIL OF CHAPEL HILL-CARRBORO FOR DONATING TO THE TOWN \$100.00 Resolution No. 56/87-88

WHEREAS, the Garden Club Council of Chapel Hill-Carrboro has generously donated to the Town of Carrboro \$100.00 to aid in the beautification of Carrboro; and

WHEREAS, these funds have been specifically earmarked for town beautification.

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 Garden Club Council of Chapel Hill-Carrboro for their generous donation to the Town.

Section 2. This resolution shall be spread upon the official minutes of the Board of Aldermen and a copy thereof shall be delivered to the Garden Club Council of Chapel Hill-Carrboro.

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 7th day of June, 1988:

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

Noes: None

Absent or Excused: None

OFFER OF STREET DEDICATIONS

Chris Peterson, the town's Public Works Director, stated that Westminister Company had requested that the town accept sections of Pathway Drive, Tripp Farm Road and Yeargen Place and Wells Management Group has requested that the town accept Amber Court, Millrock Court and Bolin Creek Drive. A performance bond providing a warranty against defects for a one year period has been posted by both developers. The administration recommended that the offers of dedication be accepted.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Judith Wegner.

A RESOLUTION ACCEPTING THE OFFER OF DEDICATION OF PATHWAY DRIVE, TRIPP FARM ROAD, YEARGEN PLACE AMBER COURT, MILLROCK COURT AND BOLIN CREEK DRIVE Resolution No. 57/87-88

WHEREAS, an offer of dedication to the town of

Pathway Drive (Stub Out)	106' width 34' face to face
Tripp Farm Road	915' width 34' face to face
Yeargen Place	500' width 20' face to face
Amber Court	504' width 20' face to face
Millrock Court	165' width 20' face to face
Bolin Creek Drive	510' width 26' face to face

has been made by virtue of the fact that a plat of the streets has been recorded; and

WHEREAS, the Director of Public works has certified that these streets have been completed by the developers in accordance with the Town specifications.

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

Section 1. The offer of dedication of these streets is hereby accepted and these streets shall hereafter be maintained by the Town of Carrboro, subject to the warranty of the developers that no defects in workmanship or materials will appear in these streets within one year after the date these streets are accepted.

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 7th day of June, 1988:

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

Noes: None

Absent or Excused: None

ACCEPTANCE OF BUS SHELTER ADJACENT TO WOODBRIDGE II

Chris Peterson, Public Works Director, stated that the administration recommended that the bus shelter located at Woodbridge II adjacent to Old Fayetteville Road, be accepted as part of the town's maintenance system.

The following resolution was introduced by Alderman Judith Wegner and duly seconded by Alderman Hilliard Caldwell.

A RESOLUTION ACCEPTING ONE BUS SHELTER Resolution No. 58/87-88

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The offer of dedication of the following bus shelter is hereby accepted:

Woodbridge II next to Old Fayetteville Road

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 7th day of June, 1988:

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

Noes: Tom Gurganus

Absent or Excused: None

Health Insurance for Town Employees

Larry Gibson, the town's Assistant Town Manager, stated that the administration recommended that the town offer four health insurance options to town employees for fiscal year 1988-89. These options include:

- a. N.C. League of Municipalities Health Plus Plan;
- b. Blue Cross/Blue Shield HMO of North Carolina;
- c. Kaiser Permanente; and
- d. Blue Cross/Blue Shield Personal Care Plan

Mr. Gibson stated that the administration recommended that the Board also establish \$79.00 as the town's contribution per employee for monthly health insurance premiums.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE FOUR INSURANCE OPTIONS BE OFFERED AND THAT THE \$79.00 PER EMPLOYEE PER MONTH TOWN CONTRIBUTION BE ESTABLISHED. VOTE: AFFIRMATIVE ALL

BUDGET AMENDMENTS

Larry Gibson, the town's Assistant Town Manager, stated that the administration requested authority to transfer \$2,100 from Contingency to cover the costs of liability insurance contractual services which are required for this year's 4th of July fireworks display. In addition, the administration requested authorization to transfer salary funds budgeted for merit increases to the various departments as needed for salaries and benefits. Finally, the administration requested approval to use surplus funds in the Administrative Services department for the purchase of a second copier for Town Hall.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCES ENTITLED, "AN ORDINANCE AMENDING THE FY'87-88 BUDGET ORDINANCE," BE ADOPTED, AS PROPOSED. VOTE: AFFIRMATIVE ALL

UPDATE ON OWASA'S AGREEMENT TO PROVIDE WATER TO CHATHAM COUNTY

Mr. Morgan stated that he had participated in discussions concerning possible changes to OWASA'S contract to provide water to Chatham County. Mr. Morgan stated that the Executive Director of OWASA had been requested to provide an update on these discussions for the Board's review.

Pat Davis, representing the Orange Water and Sewer Authority, presented a letter from Everett Billingsley speaking in response to the Board of Aldermen's concerns related to the sale of water to Chatham County. (See Town Clerk's file of this meeting for a copy of this letter.)

It was the consensus of the Board to request that the Town Manager bring the proposed memorandum of understanding before the Board at its meeting on June 14, 1988.

SPECIAL BOARD WORKSESSION SET

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY FRANCES SHETLEY THAT A SPECIAL WORKSESSION OF THE BOARD BE SET FOR MONDAY, JUNE 13, 1988 AT 7:30 P.M. FOR THE PURPOSE OF REVIEWING THE 1988-89 BUDGET. VOTE: AFFIRMATIVE ALL

SPECIAL LEGISLATION/STOP WORK ORDERS

Mike Brough informed the Board that the legislative delegation had indicated that they would not be taking up the proposed legislation relating to stop work orders in the 1988 Short Session of the General Assembly.

It was the consensus of the Board to hold a public hearing in the fall of 1988 to receive citizen comments on the proposed legislation.

WILSON PARK TOWNHOMES BUILDING CODE VIOLATIONS

Alderman Caldwell stated that he had received a copy of a letter addressed to the Planning Department concerning building code violations at the Wilson Park Townhomes development.

It was the consensus of the Board to request a copy of the town's response to the letter.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE MEETING BE ADJOURNED TO WORKSESSION. VOTE: AFFIRMATIVE

Mayor

man C. Williams