

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 21, 1989 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 Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF NOVEMBER 14, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING SET/COMMUNITY NEEDS FOR 1990-91 BUDGET

The administration requested that a public hearing be set for December 5, 1989 to receive citizen input for consideration in the preparation of the 1990-91 operating budget, including the capital improvements plan.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT A PUBLIC HEARING BE SET FOR DECEMBER 5, 1989. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING SET/LAND USE ORDINANCE TEXT AMENDMENT/VARIANCES FOR MINOR SETBACKS

John McCormick, attorney for Mr. and Mrs. Raymond Cashman, has requested an amendment to the Land Use Ordinance, which would allow a variance when minor setback violations have been created through a good faith error.

The administration requested that a public hearing be set for December 5, 1989.

It was the consensus of the Board to revise the language of Section 1 (b)(iii) of the proposed ordinance to read: "(iii) the deviation will not have an adverse effect on the surrounding properties."

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT A PUBLIC HEARING BE SET FOR DECEMBER 5, 1989. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/HIGHLANDS, PHASE V

Piedmont Atlantic has requested a conditional use permit that would allow 14.42 acres adjacent to the Highlands Subdivision to be subdivided into 22 single-family house lots. The property is located in the Transition Area, north of Homestead Road between Sterling Bridge and Rogers Road and is zoned R-20. The parcel is identified as Tax Map 109, Lot 9.

Helen Waldrop, Zoning Administrator, was sworn in. Ms. Waldrop presented the site plan for the proposed project and stated that the administration recommended approval of the conditional use permit with conditions.

Pat Ivey, Asst. District Engineer with the N.C. Dept. of Transportation, was sworn in. Mr. Ivey explained DOT's concern over the use of landscape islands in cul-de-sacs and explained DOT's standards for cul-de-sacs. Mr. Ivey stated that N.C. DOT does not take drainage easements over nor does DOT maintain them.

Robin Lackey, Chair of the Planning Board, was sworn in. Ms. Lackey stated that the Planning Board had no problems with landscape islands in cul-de-sacs.

Phillip Post, representing the developer, was sworn in. Mr. Post stated that the drainage easements will run to N.C. DOT and the water and sewer easements will run to OWASA. Mr. Post stated that the town's Land Use Ordinance regarding cul-de-sacs does not meet N.C. DOT standards. Mr. Post stated that the developer would prefer not to have the landscape islands in the cul-de-sacs.

Chris Peterson, the town's Public Works Director, was sworn in. Mr. Peterson stated that the town's policy is that drainage is the responsibility of private owners.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL 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, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. That all drainage easements shall be private.
2. That residential structures shall be not constructed below the 25-year floodplain line. This line shall be delineated and identified on the final plat.
3. That in accordance with Section 15-203 of the Land Use Ordinance, payment in lieu for active recreational facilities shall be made prior to final plat approval. Payment shall be determined by multiplying the appropriate number of recreational points by the number of units in the subdivision times the dollar amount per point established by the Miscellaneous Fees and Charges Schedule in effect at the time of plat approval.
4. That the developer shall demonstrate compliance (satisfactory to the Town Attorney) with Section 15-199 of the Carrboro Land Use Ordinance prior to issuance of the conditional use permit.
5. That private drainage easements shall be established on lots 72 (Tax Map 109C..19) and 35 (Tax Map 109B..37) for the installation and maintenance of the proposed culvert under Claymore Road prior to issuance of the conditional use permit.
6. That all driveway/street connections shall be constructed with 15-foot asphalt or concrete drive aprons. All driveway culverts shall be reinforced concrete, and shall be properly sized (minimum size of 15 inches) at the time of construction plan approval.
7. That prior to issuance of building permits for individual lots, accurately scaled plot plans with the following information shall be submitted to and approved by the Zoning Division:
 1. property lines;
 2. proposed house and driveway locations (including location and size of driveway culverts);

3. existing and proposed topography and grading;
4. clearing limit lines;
5. trees with diameters of 18 inches or greater;
6. stream buffer lines;
7. 25-year floodplain limit;
8. roof drain locations; and
9. drainage and utility easements and facilities.

8. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

9. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT IN ACCORDANCE WITH SECTION 15-59(B) OF THE LAND USE ORDINANCE, THE REQUIREMENT FOR THE INSTALLATION OF LANDSCAPE ISLANDS IN THE CUL-DE-SACS BE WAIVED. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (KINNAIRD, BRYAN)

REPORT FROM OWASA REPRESENTATIVES/PTA THRIFT SHOP WATERLINE

Bill Aderholt and Hank Anderson, the town's OWASA representatives, stated that OWASA would be paying to have the waterline under the PTA Thrift Shop building moved.

FINAL REPORT/STORMWATER MANAGEMENT STUDY

Dr. Thomas Debo presented his final stormwater management report to the Board.

Dr. Debo made the following recommendations:

1. The HYDROS 2.0 model, calibrated for the Carrboro area, be adopted by the Town for all hydrologic analysis. If consultants elect to use a different model or hydrologic procedure, the Town should check their results using HYDROS 2.0 and the consultant should then be required to justify any major differences.

2. The Town should develop stormwater management and drainage ordinances and regulations to implement the developed in this study.

3. The Town should hire a town engineer or obtain engineering assistance to help implement the Carrboro Stormwater Management program.

Dr. Debo recommended the following Stormwater Management Program policies:

1. The 10-year design storm be used as a minimum design storm for all drainage structure designs and analysis and the 100-year storm be routed through all drainage facilities to determine if flood plain regulations will be violated or if adjacent property or structures will be damaged.

2. Build-out conditions (100 percent developed) used for all drainage design and analysis.

3. Hydrologic and hydraulic analysis be required to assess the effects on peak flow rates of any increase in impervious area being proposed and that these analyses extend downstream far enough to

determine if flooding and drainage related problems will be encountered.

4. Regional detention facilities be considered as a means to control peak flow rates within large watersheds. If used, a hydrologic analysis, including routing, should be required to show what effect the facility will have immediately downstream and at other identified locations downstream.

5. On-site detention facilities be considered as a means to control peak flow rates from urban developments. If on-site detention facilities are used, channel and reservoir routing calculations should be done to calculate the effects on peak flow rates at each downstream location of interest.

6. Small detention facilities be considered when it is necessary to decrease peak flow rates immediately downstream from proposed developments. Also that several small detention facilities not be used in combinations to control peak runoff rates from larger developments without a complete analysis using channel and reservoir routing procedures to determine peak flow rates at all locations of interest. The design of all detention facilities should be based on reservoir routing calculations.

7. For all proposed closed systems, the effects of the 10 and 100-year storm hydrographs at all locations of interests should be modeled by routing them through the closed systems and the downstream drainage system. Also, that storage areas be provided at the entrance of all piped systems to store the excess runoff from the 100-year storm.

8. A plan be required for all proposed developments which will specify the maintenance that will be needed so that the drainage system will function as designed. In addition, procedures should be developed by the Town to ensure that plans for maintenance will be implemented.

9. A plan be required for all proposed detention facilities which will specify the maintenance that will be needed so that the facility will function as designed. Also, detention designs should include specifications of sediment and debris cleanout levels, measures that will be taken to minimize maintenance problems, and analyses of the detention facility under different levels of maintenance.

The administration requested that the Board of Aldermen accept the final stormwater report as presented by Dr. Debo and instruct the town staff to prepare an implementation schedule.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE REPORT BE ACCEPTED AND THAT THE TOWN STAFF BE INSTRUCTED TO PREPARE AN IMPLEMENTATION SCHEDULE AND TO THE EXTENT POSSIBLE THAT THE SCHEDULE INCLUDE COSTS OF IMPLEMENTATION. VOTE: AFFIRMATIVE ALL

AWARD OF CONTRACT FOR PERSONNEL CLASSIFICATION STUDY

Larry Gibson, Assistant Town Manager, stated that the administration requested that the Board authorize the Town Manager to enter into a contract with the N.C. League of Municipalities to conduct a comprehensive pay and classification study.

Eleanor Poole, representing the N.C. League of Municipalities, explained the process that would be followed while conducting the pay and classification study.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY HILLIARD CALDWELL THAT THE MANAGER BE AUTHORIZED TO ENTER INTO A CONTRACT WITH THE N.C. LEAGUE OF MUNICIPALITIES TO CONDUCT THE PAY AND CLASSIFICATION STUDY, TO INCLUDE THREE OPTIONS FOR IMPLEMENTATION, INCLUDING A

RANK ORDER OF THOSE POSITIONS MOST NEEDING UPGRADES, AND THAT THE RECOMMENDED CHANGES NOT BE INCLUDED IN THE MANAGER'S RECOMMENDED BUDGET UNTIL REVIEWED BY THE BOARD. VOTE: AFFIRMATIVE ALL

BUDGET AMENDMENT

On October 7, 1989, Engine #2 (a 1974 Ford 1,000 GPM pumper) had a universal joint break causing an estimated \$6,500 in damage. In addition, at its meeting on November 14, 1989, the Board authorized using up to \$1,200 in town funds for the realignment of the PTA Thrift Shop bikepath easement.

The administration requests the Board to approve the attached budget ordinance amendment, transferring funds from the General Fund Contingency to the Fire Department budget to cover the cost of repairing Engine #2, and transferring funds from the General Fund Contingency to the Public Works Department budget to cover the cost of the PTA Thrift Shop bikepath easement.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'89-90 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

RESOLUTION/TRIANGLE J COUNCIL OF GOVERNMENTS ECONOMIC DEVELOPMENT FUNDS

Triangle J Council of Governments requested adoption of a resolution releasing funds from the N.C. State Budget Office that were appropriated to lead regional organizations by the General Assembly in 1989. These funds are to be used for economic development activities as determined by each Council of Governments. The Town of Carrboro's share of these funds amounts to \$1,019.63. The administration recommended adoption of the resolution.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Judith Wegner.

A RESOLUTION RELEASING \$1,019.63 IN ECONOMIC DEVELOPMENT FUNDS
TO TRIANGLE J COUNCIL OF GOVERNMENTS
Resolution No. 26/89-90

WHEREAS, in North Carolina the Lead Regional Organizations, as voluntary organizations serving municipal and county governments, have established productive working relationships with the cities and counties across the state; and

WHEREAS, many counties and cities continue to need assistance in pursuing economic and community development opportunities, but federal assistance in the form of intergovernmental revenues has been severely curtailed in recent years; and

WHEREAS, the 1989 General Assembly has again recognized this need through the appropriation of \$990,000 each year of this biennium to help the Lead Regional Organizations assist local governments with grant applications, economic development, community development, support of local industrial development and other activities as deemed appropriate by their local governments; and

WHEREAS, these funds are not intended to be used for payment of members' dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

WHEREAS, in the event that a request is not made by a unit of government for release of these funds to our Regional Council, the available funds will revert to the State's General Fund; and

WHEREAS, in Region J funds in the amount of \$55,000 will be used to carry out the economic development plan approved by the COG Board of Delegates and especially to improve the economy of the counties and towns of the Region by strengthening ties to and consequently benefits of the Research Triangle Park.

NOW, THEREFORE BE IT RESOLVED that the Town of Carrboro requests the release of its \$1,019.63 share of these funds to the Triangle J Council of Governments at the earliest possible time in accordance with the provisions of Chapter 500 of the 1989 Session Laws (SB 43).

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of November, 1989:

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

Noes: None

Absent or Excused: None

APPOINTMENT TO PLANNING BOARD

Robin Lackey, Chair of the Planning Board, recommends that Curtis McLaughlin be appointed to the vacant transition area seat on the Planning Board.

The administration recommended that if the Board wishes to have Mr. McLaughlin appointed, that the Board adopt the resolution requesting the Orange County Board of Commissioners to make this appointment.

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

A RESOLUTION REQUESTING THE ORANGE COUNTY BOARD OF COMMISSIONERS TO APPOINT A RESIDENT OF THE CARRBORO JOINT PLANNING TRANSITION AREA TO SERVE ON THE CARRBORO PLANNING BOARD Resolution No. 23/89-90

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, the provisions of the Joint Planning Agreement were put into effect on November 14, 1988; and

WHEREAS, Section 2.7 of the Agreement requires that at least one Joint Planning Transition Area representative be appointed to the towns' Planning Boards and Boards of Adjustment in the same manner as representation of extraterritorial planning area residents is provided for; and

WHEREAS, Sections 15-21 and 15-29 of the Carrboro Land Use Ordinance require that the appointment of a Transition Area representative to the town's Planning Board and Board of Adjustment be made by the Orange County Commissioners within 90 days of receiving a resolution from the Board of Aldermen that they make such appointments, else the Board of Aldermen may make them.

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

Section 1. The Board of Aldermen hereby requests that the Orange County Board of Commissioners appoint Curtis McLaughlin, 8823 Drew Lane, Chapel Hill, N.C., 27516 of the Carrboro Joint Planning Transition Area to sit on the Carrboro Planning Board (to

replace David Rutter) for a three-year term that shall expire on February 29, 1992.

Section 2. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

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 21st day of November, 1989:

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

Noes: None

Absent or Excused: None

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

Sarah C. Williamson
Town Clerk

Eleanor J. Kinnaird
Mayor