

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 9, 1990 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
	Jacquelyn Gist
	Jay Bryan
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY FRANCES SHETLEY THAT THE MINUTES OF OCTOBER 2, 1990 BE APPROVED WITH A CORRECTION TO PAGE 5 TO HAVE THE MOTION CONCERNING THE BOND REFERENDUM AMENDED TO READ AS FOLLOWS: "THAT THE TOWN PROCEED WITH A BOND REFERENDUM TO BE HELD FOLLOWING ADOPTION OF THE 1991-92 BUDGET AND THAT THE TOWN STAFF BRING BACK A TIMETABLE TO PROCEED WITH THE REFERENDUM." VOTE: AFFIRMATIVE ALL

PROCLAMATIONS ISSUED

Mayor Kinnaird read proclamations proclaiming October 7-13 as Fire Prevention Week and November 11-17 as Human Rights Week.

CONTINUATION OF PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT REQUIRING AN OATH OF OFFICE BE ADMINISTERED TO MEMBERS OF THE BOARD OF ADJUSTMENT AND APPEARANCE COMMISSION

The administration recommended adoption of an amendment to the Land Use Ordinance which would require an oath of office to be administered to members of the Board of Adjustment and Appearance Commission.

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

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO REQUIRE AN OATH OF OFFICE TO BE ADMINISTERED TO MEMBERS OF THE BOARD OF ADJUSTMENT AND APPEARANCE COMMISSION," BE ADOPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW CONSTRUCTION DRAWINGS TO BE PREPARED AND SEALED BY PROFESSIONAL ENGINEERS, ARCHITECTS AND LANDSCAPE ARCHITECTS

Julia Trevarthen, the town's Senior Planner, stated that the administration recommended adoption of an amendment to the Land Use Ordinance which would bring the ordinance in compliance with the Attorney General's opinion by amending Section 15-87(a) to include professional architects and professional landscape architects.

Roy Williford, Planning Director, explained the history of the current Land Use Ordinance text relating to this amendment.

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

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ALLOW CONSTRUCTION DRAWINGS TO BE PREPARED BY PROFESSIONAL ENGINEERS, ARCHITECTS AND LANDSCAPE ARCHITECTS," BE ADOPTED. VOTE: AFFIRMATIVE ALL

FEASIBILITY OF CLOSING LAUREL AVENUE

Sarah Burdick, the town's Transportation Planner, stated that at the June 5, 1990 meeting of the Board of Aldermen, the Downtown Parking Committee suggested that Laurel Avenue be closed to provide additional parking at Town Hall. The town staff has investigated this matter and feels that there is adequate parking at Town Hall. Since parking is not needed at this point in time and parking in this area would be unattractive, the administration recommended that the town either (i) do nothing until the Town Commons project is built; or (ii) close off the intersections of Laurel/Main and Laurel/Weaver and grass the entire area.

Alex Zaffron, Chair of the Transportation Advisory Board, stated that the TAB recommended that the Board of Aldermen do nothing in regards to closing off Laurel Avenue until the Town Commons is constructed.

(The Board took no action on this matter.)

RURAL BUFFER - JOINT PLANNING AMENDMENT

Julia Trevarthen, the town's Senior Planner, stated that on August 30, 1990, the Carrboro Board of Aldermen, Chapel Hill Town Council and Orange County Board of Commissioners held a joint public hearing to consider development strategies for the rural Buffer recommended by Rural Character Study Committee. Ms. Trevarthen stated that in order to implement the development strategies, text amendments to the Joint Planning Area Land Use Plan and Joint Planning Agreement are necessary. Ms. Trevarthen presented an amended version of the proposed amendments to the JPA land use plan and joint planning agreement as amended by the Chapel Hill Town Council at its meeting held on October 8, 1990.

Ms. Trevarthen stated that the administration recommended that the Board of Aldermen endorse the Rural Character Study Committee's Conceptual Guidelines for the Rural Buffer with changes. The administration further recommended that the Board adopt the proposed text changes to the Joint Planning Area Land Use Plan and the Joint Planning Agreement as amended by the Chapel Hill Town Council on October 8, 1990.

David Stancil, with the Orange County Planning Department, answered the Board's questions.

Robin Lackey, representing the Planning Board, stated that the Planning Board had reviewed the amendments to the JPA land use plan and joint planning agreement dated 10/2/90 and recommended approval of the proposed amendments.

Ms. Lackey stated that she had reviewed the proposed changes recommended by the Chapel Hill Town Council on 10/8/90 and did not feel they were significant changes.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT DISCUSSION OF THIS MATTER BE CONTINUED AND THAT REPRESENTATIVES FROM THE RURAL CHARACTER STUDY COMMITTEE BE INVITED TO COME BEFORE THE BOARD OF ALDERMEN TO DISCUSS THE BOARD'S QUESTIONS CONCERNING THE CONCEPTUAL GUIDELINES FOR THE RURAL BUFFER. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MARSHALL, GURGANUS, CALDWELL)

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE RESOLUTION ENTITLED, "A RESOLUTION ENDORSING THE CONCEPTUAL GUIDELINES FOR THE RURAL BUFFER AND ADOPTING THE PROPOSED AMENDMENTS TO THE JOINT PLANNING AREA LAND USE PLAN AND JOINT PLANNING AGREEMENT," BE ADOPTED. VOTE: AFFIRMATIVE THREE, NEGATIVE FOUR (KINNAIRD, SHETLEY, GIST, BRYAN)

BID AWARD/INDUSTRIAL TRACTOR WITH BACKHOE AND FRONT-END LOADER

Tim Blake, the town's Purchasing Officer, stated that bids were received by the town on September 21, 1990 for an industrial tractor with backhoe and front-end loader. Three bids were received. Mr. Blake stated that the administration recommended that the bid be awarded to North Carolina Equipment Company for a

total cost of \$29,656.50. In addition, the administration requested authorization to pursue lease/purchase financing of this equipment.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE BID BE AWARDED TO N.C. EQUIPMENT COMPANY FOR A TOTAL COST OF \$29,656.50 AND THAT THE ADMINISTRATION BE AUTHORIZED TO PURSUE LEASE/PURCHASE FINANCING OF THIS EQUIPMENT. VOTE: AFFIRMATIVE ALL

DOING BUSINESS IN CARRBORO - FORUM II

Mr. Morgan informed the Board that Forum II of "Doing Business in Carrboro" would be held at Town Hall on October 17, 1990 at 6:00 p.m.

OWASA'S PROPOSAL TO TAKE OVER COLE PARK SEWER SYSTEM

In response to the Board questions concerning OWASA taking over the operation of the Cole Park Plaza sewer system, Mr. Morgan read a memorandum from Everett Billingsley advising the OWASA Board of Directors that OWASA has the capability of assuming the operation of the wastewater treatment plant, but the legal liability under regulatory laws is such that OWASA should not enter into an agreement to operate the system.

MEETING OF ORANGE COUNTY ASSEMBLY OF GOVERNMENTS

Mayor Kinnaird stated that a meeting of the Assembly of Governments needs to be held to discuss such topics as the impact tax, the meal tax, and catalog sales tax. The proposed dates are November 14, 15 or 28.

No action was taken by the Board on this matter.

CHAPEL HILL'S SMALL PLANNING AREA COMMITTEE

Mayor Kinnaird stated that she had spoken with Mayor Howes about having Carrboro representation on the Small Planning Area Committee. Mayor Howes stated that Chapel Hill would welcome a Carrboro representative to serve on this committee.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY FRANCES SHETLEY THAT THE PLANNING BE REQUESTED TO SELECT A PLANNING BOARD REPRESENTATIVE TO SERVE AS THE TOWN'S REPRESENTATIVE ON CHAPEL HILL'S SMALL PLANNING AREA COMMITTEE. VOTE: AFFIRMATIVE ALL

FIREWORKS COMMITTEE

Mayor Kinnaird stated that Chapel Hill is interested in forming a committee to discuss the fireworks issue.

It was the consensus of the Board that Aldermen Gurganus and Shetley will serve as the town's representatives on a committee with representatives from Chapel Hill and Orange County to discuss the fireworks issue.

PUBLIC MEETING TO DISCUSS VIOLENCE IN ORANGE COUNTY

Mayor Kinnaird suggested that the Board request that a public meeting be held at one of the local schools involving law enforcement agencies from Orange County to discuss violence in Orange County.

It was the consensus of the Board to proceed with this matter.

UMTA FUNDING

Alderman Marshall requested that the Town Manager determine the extent of UMTA funding available to the town due to the delay in the Duke Power buy-out of Durham's bus system.

MEETING OF LANDFILL SEARCH COMMITTEE

Alderman Gurganus informed the Board that the next meeting of the Landfill Search Committee will be held on November 7, 1990.

EXECUTIVE SESSION

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION.
VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

Deane J. Kinrard
Mayor