A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 16, 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

Hilliard Caldwell Frances Shetley Jacquelyn Gist Jay Bryan

Town Manager Robert Morgan

Town Clerk Sarah C. Williamson

Town Attorney Robert Hagemann for Michael Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE FRANCES SHELTEY AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF OCTOBER 2, 1990 BE APPROVED WITH CORRECTIONS AND THAT THE MINUTES OF OCTOBER 9, 1990 BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST FOR ESTABLISHMENT OF PLAY STREETS FOR SKATEBOARDING

Lyle Landsdale, a resident of 301 E. Poplar Avenue, requested that the Board consider establishing play streets to accommodate skateboarding.

It was the consensus of the Board to request the town staff and Parks & REcreation Commission look into the possibility of establishing play streets and other areas to accommodate skateboarding.

PUBLIC HEARING/ANIMAL CONTROL FOR TOWN OF CARRBORO

This was a public hearing to receive public input on a proposal to turn over animal control responsibilities for the town to Orange County.

Mr. Morgan requested that the Board request the Orange County Board of Commissioners to assume responsibility for all animal control activities within the Town of Carrboro under the following conditions:

- a. That Carrboro adopts the current Orange County animal control ordinance;
- b. That Carrboro agrees to pay Orange County the sum of \$17,357 prorated over 12 months for the remainder of fiscal year 1990-91 and \$8,679 during fiscal year 1991-92;
- c. That Carrboro agrees to continue its contractual arrangement with Orange County Animal Protection Society for use of the Animal Shelter during fiscal years 1990-91 and 1991-92; and
- d. That Carrboro agrees to turn over all current animal control equipment to Orange County.

Elma Rae Johnson, Orange County Animal Director, reviewed the major differences in Carrboro animal control ordinance and Orange County's and answered the Board's questions concerning animal control.

David Hulbert, a resident of Davie Road, spoke against a leash law for cats and spoke in favor of the town retaining animal control. Mr. Hulbert spoke against the Orange County animal control ordinance.

Rond Fried Overholt spoke against a leash law and stated she appreciates voice control. Ms. Overholt stated the animal control officer should be referred to as animal aid officer.

Olin Phillips, a resident of Pine Street, spoke in favor of a leash law.

Trip Fried Overholt stated he thought people wanting a leash law are in the minority, but spoke in favor of licensing dogs. Mr. Overholt spoke against turning over animal control to Orange County.

Carrie Monette, a Carrboro resident, stated that she had experienced a problem with delayed response time to animal control problems since Orange County has been assisting the town. Ms. Monette spoke in favor of the town having its own animal control officer and either adopt Orange County's animal control ordinance or revise the town's ordinance. Ms. Monette spoke in favor of a leash law with designated leash free areas.

Robin Lackey spoke in favor of Carrboro having its own animal control officer and urged the Board to compare Orange County's ordinance and Carrboro's ordinance and amend the town's ordinance if necessary.

Blanche Arons spoke in favor of a leash law with leash-free areas. Ms. Arons asked that the Board consider citizens' safety.

Betsy Gidiz spoke in favor of a leash law and requested that the animal control ordinance be revised or that the Orange County animal control ordinance be adopted. Ms. Gidiz spoke in favor of the town hiring its own animal control officer.

Ms. Noltin, a resident of Pathway Drive, cited an incident of a wounded racoon that the Animal Protection Society did not respond to. Ms. Noltin spoke in favor of the town having its own animal control officer and also spoke in favor of a leash law.

Margie Higgins spoke in favor of a dog leash law but not in favor of a leash law for cats.

Tom Gidiz spoke in favor of sterlization, education and legislation to the animal population. Mr. Gidiz stated that the town's animal control ordinance needs revising.

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

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY FRANCES SHETLEY THAT THE TOWN RETAIN RESPONSIBILITY FOR ANIMAL CONTROL AND THAT A COMMITTEE BE ESTABLISHED TO CONSIST OF TOWN STAFF AND CITIZENS TO REVIEW AND RECOMMEND CHANGES TO THE TOWN'S ANIMAL CONTROL ORDINANCE, AND THAT THE AGENDA PLANNING COMMITTEE SCHEDULE DISCUSSION OF THE CHARGE FOR THE COMMITTEE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (MARSHALL)

It was the consensus of the Board to direct the town staff to proceed to hire an animal control officer.

REVIEW OF STREET/SIDEWALK SPECIAL ASSESSMENT POLICY

Chris Peterson, the town's Public Works Director, stated that the town staff had reviewed the present street and sidewalk special assessment policy. Mr. Peterson stated that administration recommended that the assessment formula remain unchanged (40% town/60% property owners), that the number of years for repayment remain at five years, that the interest rate for unpaid assessments remain at 8%, that the following language be added: "During construction it may be necessary to remove trees and shrubs which

fall in line with the planned improvement located within the right-of-way. Any trees or shrubs a property owner wishes to transplant should be removed by the property owner from this areas before construction begins." In addition, Mr. Peterson stated that the town staff recommended that the reference to the Public Works Committee be replaced with Public Works Department staff.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JACQUELYN GIST THAT THE ASSESSMENT FORMULA BE CHANGED TO 50% TOWN AND 50% PROPERTY OWNERS, THAT THE REFERENCE TO "PUBLIC WORKS COMMITTEE" BE CHANGED TO "PUBLIC WORKS DEPARTMENT STAFF, AND THAT THE FOLLOWING LANGUAGE BE ADDED: "THE TOWN SHALL MAKE EVERY EFFORT TO ACCOMMODATE AND SAVE TREES, SHRUBS, FLOWERS, FENCES AND WALLS ATTACHED TO THE LAND WHICH FALL IN LINE WITH PLANNED IMPROVEMENTS WITHIN THE RIGHT-OF-WAY BY PLANNING IMPROVEMENTS AROUND SUCH LANDSCAPE FEATURES. IF THE TOWN MAKES THIS EFFORT BUT CANNOT SAVE THESE TREES, FLOWERS, FENCES AND WALLS, THEN THE PROPERTY OWNER SHALL BE GIVEN REASONABLE NOTICE AND SUFFICIENT TIME BEFORE CONSTRUCTION IS BEGUN TO TRANSPLANT OR MOVE SUCH TREES, SHRUBS, FLOWERS, FENCES OR WALLS ATTACHED TO THE LAND FROM THE AREA'S IMPROVEMENTS. THAT PRIOR TO ANY PUBLIC HEARING ON ANY RESURFACING OR SIDEWALK CONSTRUCTION, THE TOWN SHALL INDICATE THROUGH ADEQUATE VISIBLE MARKERS THE EXTENT OF THE IMPROVEMENTS TO BE MADE SHOULD IT BE PROPOSED THAT SUCH IMPROVEMENTS, WHETHER SIDEWALKS OR ROAD RESURFACING, EXTEND BEYOND THE ROAD SURFACE. IN ADDITION, PETITIONERS SHALL ALSO BE GIVEN ADEQUATE OPPORTUNITY, BEFORE THE PUBLIC HEARING TO DETERMINE IF THE IMPROVEMENTS PROJECT SHALL BE UNDERTAKEN, TO KNOW HOW MUCH RIGHT-OF-WAY, IF ANY, WILL BE NEEDED TO BE ACQUIRED TO MAKE THE NECESSARY IMPROVEMENTS." VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MARSHALL, SHETLEY, BRYAN)

CANCELLATION OF NOVEMBER 6, 1990 BOARD MEETING

The administration requested that the Board consider canceling its meeting scheduled for November 6, 1990, due to this being election day.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE BOARD'S MEETING SCHEDULED FOR NOVEMBER 6, 1990 CANCELED. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.

al C. Williamson

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