

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 26, 1991 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Randy Marshall
	Tom Gurganus (arrived at 7:40 p.m.)
	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 JAY BRYAN THAT THE MINUTES OF MARCH 19, 1991 BE APPROVED. VOTE: AFFIRMATIVE ALL

[Alderman Gurganus arrived at the meeting.]

PUBLIC HEARING SET/CONDITIONAL USE PERMIT/FAST FARE RECONSTRUCTION

Envirotek, Inc. has applied for a conditional use permit for the reconstruction of the Fast Fare located at 1401 W. Main Street. The applicant proposes to demolish the existing building and fueling areas and to reconfigure the parking area. A new building and fueling areas will be constructed.

The administration requested that a public hearing be set for April 9, 1991 to consider this request.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT A PUBLIC HEARING BE SET FOR APRIL 9, 1991. VOTE: AFFIRMATIVE ALL

REPORT ON SOUTHERN ORANGE SENIOR CITIZENS SPACE STUDY

Richard Kinney, the town's Recreation & Parks Director, stated that a task force assigned to review and make recommendations regarding senior citizen center space needs in southern Orange County has completed its report. This group was initially formed to investigate the immediate space needs in Chapel Hill, but was later expanded to include all of southern Orange County.

Mr. Kinney provided an explanation of the report as it pertains to Carrboro's present and future space needs for older adults. Mr. Kinney stated that the Parks & Recreation Commission had reviewed the report and agrees with its findings and would prefer that the satellite center as proposed become a part of the community center. The Commission suggested that the Board of Aldermen consider the following options:

1. An arrangement between Orange County and the Town of Carrboro to provide support from the County in operational and capital costs.
2. An arrangement between the Town of Carrboro and Chapel Hill-Carrboro City Schools to use the Carrboro Elementary School property to site the community center. Land costs are estimated at \$275,000 (this figure includes parking).
3. Increase the estimated tax increase to build the center from 6.5 cents to 7.25 cents.

Mr. Kinney stated that the third option was the least desired by the Parks & Recreation Commission.

Mr. Kinney stated that if the Board was interested in pursuing any of these options, the administration would recommend that the Board direct the Town Manager to pursue #1 and #2 with the County Manager and School Superintendent.

Doris Murrell, Chair of the Parks & Recreation Commission, explained the Commission's recommendations.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE TASK FORCE REPORT BE APPROVED IN CONCEPT AND THAT THE TOWN STAFF BE AUTHORIZED TO PURSUE AN ARRANGEMENT BETWEEN ORANGE COUNTY AND THE TOWN OF CARRBORO TO PROVIDE SUPPORT FROM THE COUNTY IN OPERATIONAL AND CAPITAL COSTS FOR SENIOR CITIZEN SPACE. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (SHETLEY, GURGANUS)

COMMUNITY CENTER BOND REFERENDUM

Richard Kinney, the town's Recreation & Parks Director, stated that the Board of Aldermen had directed the administration to recommend a timetable by which to proceed with a community center bond referendum following adoption of the 1991-92 budget. Mr. Kinney presented a suggested timetable and discussed the potential "up-front" costs associated with this undertaking.

Mr. Morgan informed the Board that the majority of these costs would come out of the 1991-92 budget, but that the costs associated with the bond counsel would need to come of the 1990-91 budget.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE BOND REFERENDUM SCHEDULE BE ADOPTED TO HOLD A REFERENDUM IN NOVEMBER, 1991. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (GURGANUS, SHETLEY, BRYAN)

MOTION WAS MADE BY RANDY MARSHALL THAT THE TOWN STAFF BE AUTHORIZED TO DISCUSS WITH THE CHAPEL HILL-CARRBORO CITY SCHOOL SYSTEMS THE USE OF A PORTION OF THE CARRBORO ELEMENTARY SCHOOL PROPERTY FOR THE COMMUNITY CENTER. (MOTION WITHDRAWN)

[No further action was taken by the Board on this matter.]

[Alderman Shetley left the meeting.]

REPORT ON NONCONFORMING USE POLICY/ORDINANCE AMENDMENT

Mike Brough stated that the Board of Aldermen had asked that the administration review the provisions of the Land Use Ordinance that deal with the loss of the right to reinstate a nonconforming use of property after the nonconforming use has been discontinued for a period of time. Mr. Brough explained a proposed ordinance amending the Land Use Ordinance that he had prepared dealing with this matter.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE AGENDA PLANNING COMMITTEE SCHEDULE A PUBLIC HEARING ON THIS MATTER. VOTE: AFFIRMATIVE ALL

REPORT ON SIGN VIOLATIONS

Helen Waldrop, the town's Zoning Administrator, presented a report on sign violations within the Town of Carrboro. In addition, Ms. Waldrop presented a list of concerns raised about the current sign ordinance along with proposed amendments to the ordinance.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JAY BRYAN THAT THE TOWN STAFF'S REPORT AND THE PROPOSED AMENDMENTS TO THE SIGN ORDINANCE BE SENT TO THE APPEARANCE COMMISSION, PLANNING BOARD AND DOWNTOWN DEVELOPMENT COMMISSION FOR REVIEW AND RECOMMENDATIONS, WITH A REQUEST THAT THE ADVISORY BOARDS COMMENT ON THE USE OF SANDWICH SIGNS. IN ADDITION, THAT THE TOWN STAFF PROCEED WITH ENFORCEMENT OF THE CURRENT SIGN ORDINANCE. VOTE: AFFIRMATIVE ALL

RESOLUTIONS/WATER CONSERVATION ISSUES

Alderman Bryan presented two resolutions dealing with water conservation issues for the Board's consideration.

Mr. Morgan informed the Board that copies of these resolutions had been sent to the President of the Durham/Orange Home Builders Association, but that no response had been received back from him concerning the resolutions.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION ENDORSING WATER SAVING DEVICES AND
REQUESTING OWASA TO ADOPT CERTAIN WATER CONSERVATION POLICIES
Resolution No. 36/90-91

WHEREAS, water conservation saves money for water consumers by reducing the number of gallons of water consumed and by reducing the need for more capital spending and infrastructure necessitated to meet increasing water demands; and

WHEREAS, water conservation protects the environment by conserving our water resources; and

WHEREAS, the marketplace has available water-saving appliances and fixtures, such as 1 and 1.5 gallon flush toilets, 2 gallon per minute shower heads, faucets with aerators and conserving washing machines and dishwashers that effectively reduce the amounts of water used in showers, kitchen sinks and toilets, and can result in significant water conservation; and

WHEREAS, the marketplace has available other water-saving appliances and fixtures that can be used to upgrade existing commercial buildings, single-family homes and multi-family housing and significantly reduce water consumption; and

WHEREAS, there exists other water consumption policies and measures that can assist in reducing water consumption in Carrboro and Orange County, including but not limited to educational programs to increase consumer awareness about water consumption, the modification of water bills to show consumption in gallons per day, encouraging retrofitting of fixtures, the keeping of the records of firefighting and training water usage, street cleaning usage and watering of shrubs and plants by city, county and volunteer fire departments, the keeping of records for water usage or loss due to line breakage and new water line flushing, the keeping of records or estimation of construction water usage, the keeping of records for the university and hospital water usages, improvements in metering of water usage, annual proclamation of water week with other utilities and municipalities to heighten awareness of water as a limited resource, the encouragement of water reducing devices, and the development of long-term plan wastewater reuse, a comprehensive water audit to detect water leaks, the development of a least cost approach to an overall water demand management plan for OWASA's customers, and the publication of per-capita consumption figures to make the trends available to the public; and

WHEREAS, the Board of Aldermen supports these measures and policies to reduce water consumption in Carrboro and Orange County.

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

Section 1. For the above-stated reasons, the Board of Aldermen supports the continued development by OWASA of policies and measures as described above.

Section 2. The Board of Aldermen asks the OWASA Board to examine its policies and measures for reducing water consumption and determine if the measures and policies outlined above are part of its plan, and if not, determine if such policies and measures, as well as others that may be developed, are appropriate and should be enacted for its service area.

Section 3. Copies of this resolution shall be sent to the Orange County Board of Commissioners and the Chapel Hill Town Council.

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 26th day of March, 1991:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Tom Gurganus.

A RESOLUTION ENDORSING WATER SAVING DEVICES AND
ASKING FOR APPROVAL BY THE NORTH CAROLINA BUILDING CODE COUNCIL
Resolution No. 37/90-91

WHEREAS, water conservation saves money for water consumers by reducing the number of gallons of water consumed and by reducing the need for more capital spending and infrastructure necessitated to meet increasing water demands; and

WHEREAS, water conservation protects the environment by conserving our water resources; and

WHEREAS, water conservation results in specific savings on sewage treatment costs and on water supply projects and reservoir planning; and

WHEREAS, the marketplace has available water-saving appliances and fixtures, such as 1 and 1.5 gallon flush toilets, 2 gallon per minute shower heads, faucets with aerators and conserving washing machines and dishwashers that effectively reduce the amounts of water used in showers, kitchen sinks and toilets, and can result in significant water conservation; and

WHEREAS, the marketplace has available other water-saving appliances and fixtures that can be used to upgrade existing commercial buildings, single-family homes and multi-family housing and significantly reduce water consumption; and

WHEREAS, even though local ordinances can be amended to require advanced water saving fixtures in new construction and retrofit devices for upgrading the water use by shower heads, faucets and toilets in older buildings, it appears that such requirements may need approval by the N.C. State Building Code Council for inclusion in the N.C. State Building Code; and

WHEREAS, the Board of Aldermen wishes to consider making changes to the town's ordinance regarding advanced water saving fixtures for new construction and retrofit devices for upgrading the water used by shower heads, faucets and toilets in older buildings, and to petition and ask the N.C. State Building Code Council to allow such fixtures and retrofit devices under the N.C. State Building Code.

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

Section 1. For the above-stated reasons, the Board of Aldermen supports the continued development of advanced water saving fixtures and retrofit devices for upgrading shower heads, faucets and toilets as well as their use in the marketplace.

Section 2. The Board of Aldermen asks the Orange County Board of Commissioners, the Chapel Hill Town Council, the Durham City Council, the Durham County Board of Commissioners, the Chatham County Board of Commissioners, the Pittsboro Town Council, and the Triangle J Council of Governments to support the continued development of advanced water saving fixtures and retrofit devices for upgrading shower heads, faucets and toilets as well as their use in the marketplace, and in old and new construction in the State of North Carolina.

Section 3. The Board of Aldermen asks the Orange County Board of Commissioners, the Chapel Hill Town Council, the Durham City Council, the Durham County Board of Commissioners, the Chatham County Board of Commissioners, the Pittsboro Town Council, the Orange Water and Sewer Authority, and the Triangle J Council of Governments to join with them in petitioning and asking the N.C. State Building Code Council to allow advanced water saving fixtures, such as 1 and 1.5 gallon flush toilets, 2-gallon per minute shower heads, faucets with aerators and conserving washing machines and dishwashers that effectively reduce the amounts of water used in showers, kitchen sinks and toilets, as well as retrofit, water saving devices, for reducing water consumption to be used in existing and newly constructed buildings and homes, under the N.C. State Building Code.

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 26th day of March, 1991:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

REPORT ON WATER AND SEWER EXTENSION POLICIES

Alderman Shetley was scheduled to present a report on a meeting she attended relating to water and sewer extension policies, but since she had to leave the meeting, this item will be rescheduled.

BUDGET AMENDMENT

The administration requested that the Board of Aldermen adopt a budget ordinance amendment to provide an additional appropriation of \$3,750 for ArtsCenter rent payments through June, 1991, as authorized by the Board of Aldermen on March 12, 1991.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'90-91 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (CALDWELL, GURGANUS)

PUBLIC HEARING RESET

MOTION WAS MADE RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE PUBLIC HEARING ON THE LAND USE ORDINANCE TEXT AMENDMENT DEALING WITH THE OFFICE AND OFFICE/ASSEMBLY ZONING DISTRICTS BE RESCHEDULED FROM APRIL 9 TO APRIL 16, 1991. VOTE: AFFIRMATIVE ALL

BUDGET REQUESTS FROM THE ARTSCENTER AND ORANGE COUNTY HOUSING CORP.

Mr. Morgan requested direction from the Board on whether to include budget requests from the ArtsCenter and Orange County Housing Corp. in the Manager's proposed budget for 1991-92.

It was the consensus of the Board to request that the Town Manager include these budget requests in the proposed budget for 1991-92 at the 1990-91 funding levels.

ITEMS TO BE SCHEDULED BY AGENDA PLANNING COMMITTEE

The Board requested that the Agenda Planning Committee schedule discussion of the following items:

- a. Bills asking that sales tax be increased; and
- b. The Board's summer schedule.

NOTIFICATION OF PUBLIC HEARING ON THOROUGHFARE PLAN MODIFICATION TO REMOVE OLD FAYETTEVILLE ROAD EXTENSION

Alderman Marshall requested that notification of this public hearing be sent to the following individuals:

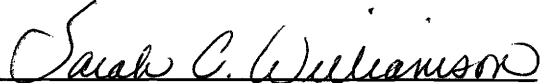
- a. Principals and PTA Presidents of Frank Porter Graham Elementary School and Culbreth Jr. High School;
- b. Neal Peterson, Asst. Supt. of Support Services, CH-Carrboro City Schools;
- c. Al Hogan, Transportation Supervisor, CH-Carrboro City Schools;
- d. Merchants of Willow Creek Shopping Center and Carrboro Plaza;
- e. The business offices for The Villages, Woodbridge, Highland Hills; Rock Creek and Culbreth Park.

RESOLUTION REQUESTING INCREASE IN TAX ON TOBACCO PRODUCTS

The Board requested that Mayor Kinnaird make revisions to the proposed resolution and bring it back to the Board for consideration at a later date.

EXECUTIVE SESSION

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER. VOTE: AFFIRMATIVE ALL


Town Clerk


Mayor