

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 17, 1992 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 Attorney	Michael B. Brough
Deputy Town Clerk	James E. Spivey

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY FRANCES SHETLEY THAT THE MINUTES OF NOVEMBER 10, 1992 BE APPROVED. VOTE: AFFIRMATIVE ALL.

INTRODUCTION OF NEW EMPLOYEE

Chief Swiger introduced Walter Mills and his family to the Board of Aldermen as a new employee in the fire department.

REQUEST TO SET A PUBLIC HEARING/COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY (CHAS)

The administration requested that the Board of Aldermen set a public hearing for December 08, 1992 to receive public comment on the annual update and the 1992 annual performance report for the Comprehensive Housing Affordability Strategy (CHAS).

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HILLIARD CALDWELL THAT A PUBLIC HEARING BE SET FOR DECEMBER 08, 1992. VOTE: AFFIRMATIVE ALL.

WORKSESSION WITH OWASA REPRESENTATIVE TO DISCUSS CONCERNS ABOUT OWASA

Melva Okun, the town's OWASA representative, distributed and reviewed OWASA's Quarterly Report.

A status report regarding possible revenue from the patent was requested.

Lois Herring, Chair of the OWASA Board, stated that the patent was presently being marketed and the marketing process is very slow. Ms. Herring stated that once marketed, the patent would begin to generate revenue.

Ms. Herring also informed the Board of OWASA's annual meeting with elected officials scheduled for February 18, 1993 to discuss capital improvement projects.

Paved greenways along OWASA easements, especially along Bolin Creek, was discussed and the Board encouraged OWASA to investigate the possibility of prohibiting motorized vehicles on paved OWASA easements.

The Board also requested that OWASA consider televising its meetings which take place on the second and fourth Thursdays of the month.

Everett Billingsley stated that the 1 1/2 gallon toilets have been redesigned for more efficiency. Mr. Billingsley stated that the State Building Code had been amended to require 1 1/2 gallon toilets in new construction. Mr. Billingsley stated OWASA was looking at additional ways to conserve water.

ADOPTION OF A REVISED ANIMAL CONTROL ORDINANCE

As directed by the Board, the town attorney prepared alternative sections of the proposed animal control ordinance which incorporates proposed changes suggested at the Board's October 06, 1992 meeting.

David Rooks, future Winsome Lane resident, voiced objection to including "street right-of-way line" in Section 10-5(c)(3) of the proposed ordinance. Mr. Rooks explained that with this phrase included, his usable land area would be decreased because his property has street frontage on two sides.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE ADOPTING A NEW CARRBORO ANIMAL CONTROL ORDINANCE TO REPLACE EXISTING CHAPTER 10 OF THE CARRBORO TOWN CODE" WITH THE FOLLOWING CHANGES:

- 1. The "Animal Control Ordinance-Alternative Amendments" was adopted and is to be inserted in the aforementioned adopted ordinance as applicable.
- 2. In Section 10-5(c)(3) of the adopted ordinance, the reference, or street right-of-way line, is to be deleted.

VOTE: AYES 5 (Gurganus, Caldwell, Kinnaird, Gist, Bryan); NOES 2 (Marshall, Shetley).

The Board requested that staff research ways to keep the three proposed lease-free areas in the town clean, suggest/choose one of the three proposed lease-free areas to be fenced-in, and re-examine the amount of tax charged for neutered and un-neutered animals.

STATUS REPORT ON CARR COURT ACTIVITIES

Mayor Kinnaird made a report of the town's involvement with efforts to improve the quality-of-life in the Carr Court Community. Mayor Kinnaird voiced appreciation to staff members and community residents that came out to assist in the cleaning of the donated structure for the proposed center.

The Board expressed appreciation to the Mayor for her time and energy dedicated to this effort. The Board acknowledged the positive outcome the proposed improvements could have; however, some concerns of the Board were:

- 1. Similar programs have been established and are functioning in Chapel Hill, without direct involvement of the Town of Chapel Hill; why is the Town of Carrboro directly involved in this program?
- 2. Investigate how similar programs work without direct town involvement and make a report.

The town attorney was asked to draft a memorandum of understanding which would define the responsibility, liability, and function of the town, school, and the Carr Court Community.

DISCUSSION OF REPLACEMENT OF FIRE TANKER

Mr. Morgan explained that in the Manager's 1992-93 proposed budget was a request to replace Tanker 941; however, the request was not included in the adopted 1992-93 town budget. Since that time, Chief Swiger re-evaluated the condition of the tanker to determine what might be done to improve its defects. The results of the evaluation led Chief Swiger to direct that the tanker only respond to fire calls under non-emergency procedures not to exceed 35 miles per hour. Chief Swiger also recommended that the tanker be replaced as soon as possible. Due to the operational restriction, Chief Swiger also requested automatic mutual aid under certain circumstances.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE BOARD ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY '92-93 BUDGET ORDINANCE", ON THE CONDITION THAT POSSIBILITIES TO REIMBURSE THE FUND BALANCE ARE EXAMINED. VOTE: AFFIRMATIVE ALL.

The Board requested that the manager discuss with the county possible ways of re-cooping money for the fire tanker.

RESIDENCY REQUIREMENT FOR THE FIRE CHIEF

The Board reviewed and discussed an ordinance that would amend Article II, Section 4-16(b) of the town's personnel ordinance regarding the residency requirement of the fire chief.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JACQUELYN GIST THAT THE BOARD OF ALDERMEN ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE

CARRBORO TOWN CODE TO DELETE THE REQUIREMENT THAT THE FIRE CHIEF RESIDE WITHIN THE TOWN LIMITS". VOTE: AYES 3 (Caldwell, Kinnaird, Gist); NOES 4 (Marshall, Gurganus, Shetley, Bryan).

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JACQUELYN GIST THAT THE BOARD OF ALDERMEN ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO DELETE THE REQUIREMENT THAT THE FIRE CHIEF RESIDES WITHIN THE TOWN LIMITS", WITH THE FOLLOWING CHANGE:

1. The proposed subsection 4-16(b)(2) should read:

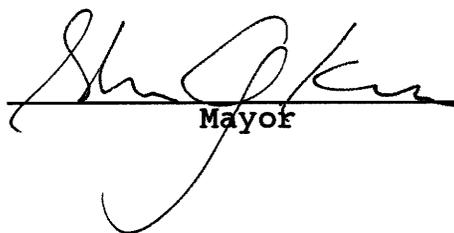
- (2) The fire chief shall reside within the corporate limits of the town, or the town's extraterritorial planning jurisdiction, or the transition area within which the town administers its land use ordinance.

VOTE: AYES 4 (Kinnaird, Shetley, Gist, Bryan); NOES 3 (Marshall, Gurganus, Caldwell).

Mr. Brough informed the Board that a second reading of the proposed ordinance is required because the motion did not receive a 2/3 affirmative vote of the Board's membership on the first reading.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE BOARD MEETING BE ADJOURNED at 11:05 P.M. VOTE: AFFIRMATIVE ALL.

Deputy Town Clerk



Mayor