

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 1, 1994 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

|               |                     |
|---------------|---------------------|
| Mayor         | Eleanor Kinnaird    |
| Aldermen      | Michael Nelson      |
|               | Randy Marshall      |
|               | Hank Anderson       |
|               | Frances Shetley     |
|               | Jay Bryan           |
| Town Manager  | Robert W. Morgan    |
| Town Clerk    | Sarah C. Williamson |
| Town Attorney | Michael B. Brough   |

Absent:  
Alderman Jacquelyn Gist

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON THAT THE MINUTES OF FEBRUARY 22, 1994 BE APPROVED WITH CORRECTIONS. VOTE: AFFIRMATIVE ALL

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**RESOLUTION COMMENDING WAYNE LACOCK**

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Randy Marshall.

**A RESOLUTION COMMENDING WAYNE LACOCK  
FOR HIS SERVICE TO THE TOWN OF CARRBORO  
WHILE SERVING AS INTERIM FIRE CHIEF  
Resolution No. 41/93-94**

WHEREAS, Wayne Lacock has given more than 25 years of service to the Town of Carrboro while serving as a volunteer firefighter, Training Officer and Deputy Fire Chief; and

WHEREAS, Wayne Lacock, using the knowledge, skill and training from his many years of service, served ably as Interim Fire Chief of the Carrboro Fire Department from January 1, 1993 to February 1, 1994; and

WHEREAS, Wayne Lacock is known for his loyalty to the Carrboro Fire Department and his fairness and evenhandedness while serving as Interim Fire Chief; and

WHEREAS, Wayne Lacock served as an able administrator and spokesperson for the Fire Department during his tenure as Interim Chief; and

WHEREAS, Wayne Lacock guided the Board of Aldermen with his excellent presentation at the 1993 Board Retreat; and

WHEREAS, Wayne Lacock thoroughly addressed the financial and other needs of the Fire Department during the 1993-94 budget deliberations.

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

Section 1. The Board of Aldermen thanks and commends Wayne Lacock for his outstanding stewardship of the Carrboro Fire Department as Interim Fire Chief.

Section 2. 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 1st day of March, 1994:

Ayes: Michael Nelson, Randy Marshall, Hank Anderson, Eleanor Kinnaird, Frances Shetley, Jay Bryan

Noes: None

Absent or Excused: Jacquelyn Gist

Mr. Morgan personally thanked Wayne Lacock and the members of the Carrboro Fire Department for their help during the interim period when the town was without a fire chief.

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REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/LAKE HOGAN FARM

Brad Young of Young, Jewell & Associates, has applied for a conditional use permit that would allow the construction of 420 single-family homes, in seven phases, on 310 acres. This property is located north of Homestead Road and east of Old Highway 86. The administration recommended that a public hearing be set for March 22, 1994 to consider this conditional use permit request.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT A PUBLIC HEARING BE SET FOR MARCH 22, 1994. VOTE: AFFIRMATIVE ALL

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CONTINUATION OF PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/BEL ARBOR SUBDIVISION

Philip Post and Associates, Inc. have applied for a conditional use permit that would allow for the construction of an architecturally integrated subdivision (30 single-family detached units) on 8.259 acres located on Hillsborough Road near Dillard Street.

Mayor Kinnaird stated that Alderman Gist had requested that this public hearing be continued until March 8th due to her absence from tonight's meeting because of illness.

Roy Williford, Planning Director, presented information from S&ME Environmental Services speaking to the soil conditions on the proposed site. Mr. Williford stated that S&ME recommended that no construction be done on the low side of the property until the soil dries out this summer. The report prepared by the developer's engineer shows the lower lots to be a little drier than the report prepared by S&ME, but the S&ME engineer informed the town that was probably because of the method used to test the soil.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON THAT THIS PUBLIC HEARING BE CONTINUED TO MARCH 8, 1994. VOTE: AFFIRMATIVE ALL

The Board requested that the town staff visit the site and prepare a report describing the condition of the stream below the property and have the developer's engineer prepare a stormwater model describing the 10-, 20-, and 100-year storm event. The Board also requested that the town staff review the report prepared by the engineer and describe any problems associated with the drainage and present possible remedies.

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STAFF RESPONSE TO CONSULTANT REPORT ON FIRE DEPARTMENT COOPERATION

Chief Murray stated that included in the 1993 Action Agenda was a request by the Board of Aldermen to review areas of possible cooperation between the Carrboro and Chapel Hill Fire Departments. In July of 1993 the Board authorized a joint contract with the Town of Chapel Hill to employ the services of Dr. Charlie Coe for evaluation of three options for cooperative fire protection between the town towns. Dr. Coe presented his findings to the Board in November of 1993. Chief Murray stated that the Fire Department would like to proceed with identifying and planning specific cooperation projects for the two departments to include: shared purchasing, joint training, standardizing procedures and cooperative public education programs.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Michael Nelson.

A RESOLUTION REGARDING COOPERATION BETWEEN THE  
CHAPEL HILL AND CARRBORO FIRE DEPARTMENTS  
Resolution No. 40/93-94

WHEREAS, the Board of Aldermen authorized a consultant study of Chapel Hill and Carrboro Fire Departments to examine possible cooperative formats or programs; and

WHEREAS, the Board of Aldermen is committed to providing quality fire protection for the citizens of Chapel Hill; and

WHEREAS, increased cooperation between the Chapel Hill Fire Department and Carrboro Fire Department would enhance fire protection in both communities and produce cost savings.

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

Section 1. The Board authorizes the Manager and staff to continue planning and implementing an expanded and formalized cooperative effort between the Chapel Hill and Carrboro Fire Departments; and to make periodic reports to the Board of Aldermen.

Section 2. The staffs of both towns should develop a methodology for identifying what data needs to be collected to determine cost savings, if any, resulting from this cooperative effort, and for analyzing such data to determine such cost savings.

Section 3. 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 1st day of March, 1994:

Ayes: Michael Nelson, Randy Marshall, Eleanor Kinnaird, Frances Shetley, Jay Bryan

Noes: Hank Anderson

Absent or Excused: Jacquelyn Gist

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#### BUDGET AMENDMENT

The administration recommended adoption of a budget amendment transferring \$5,000 from Contingency to the Administrative Services budget to cover a liability insurance deductible incurred by the town as a result of a recent claim, and to transfer \$9,584 from unappropriated General Fund balance to the Recreation-Playground and Parks budget to cover a final payment on the resurfacing of the Wilson Park tennis courts budgeted in the 1992-93 fiscal year.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'93-94 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

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#### CAMPAIGN FINANCING DISCLOSURE

Existing state law that requires the disclosure of political campaign contributions does not apply to jurisdictions of less than 50,000 population. Alderman Nelson raised the question of whether the Town of Carrboro should seek special legislation, similar to that obtained by the Town of Chapel Hill in 1987, making this state law applicable to the Town of Carrboro. This item was before the Board for consideration of whether the Board wishes to seek such special legislation.

MOTION WAS MADE BY MICHAEL NELSON AND SECONDED BY FRANCES SHETLEY THAT THE TOWN ATTORNEY BE DIRECTED TO PREPARE THE APPROPRIATE CHARTER AMENDMENT FOR SUBMISSION TO THE GENERAL ASSEMBLY. VOTE: AFFIRMATIVE ALL

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#### AUTHORIZATION TO PAY DUES TO TRIANGLE J COUNCIL OF GOVERNMENTS

During last year's budget deliberations the Board of Aldermen directed the Town Manager not to pay the dues to Triangle J Council of Governments for the 1993-94 fiscal year until the Board authorized it. Triangle J COG has requested payment of these dues. The purpose of this agenda item was for the Board to decide whether it wishes to pay the dues for this year.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON THAT THE TOWN STAFF BE AUTHORIZED THE PAY THE 1993-94 DUES TO TRIANGLE J COUNCIL OF GOVERNMENTS. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (SHETLEY)

The Board requested that the town staff provide the Board with a list of the executive council members of the COG and the Triangle Regional Council.

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TRIANGLE TRANSIT AUTHORITY STATUS REPORT ON TRANSPORTATION SYSTEMS

Mr. Morgan informed the Board that Triangle Transit Authority will be holding status reports on the three options for transportation systems in the area on March 10th and 17th.

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RESOLUTION CONCERNING INTERSTATE SALES TAX

Mayor Kinnaird requested that the Board consider a resolution supporting enactment of the "Tax Fairness for Main Street Business Act of 1994.

The Board requested that the Agenda Planning Committee schedule this item for consideration by the Board.

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APPROPRIATION TO SISTER CITIES PROJECT

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE TOWN PAY \$100.00 TOWARDS THE DUES FOR THE SISTER CITIES PROJECT. VOTE: AFFIRMATIVE ALL

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FUNDING OF MEDIATION SERVICES FOR THE GUN CONTROL STUDY COMMITTEE

Alderman Bryan stated that the Gun Control Study Committee would like to have a mediator begin attending their meetings and that he had contacted the Dispute Settlement Center about this request. Alderman Bryan requested that the Board consider funding mediation services for the Gun Control Study Committee at the Board's meeting on March 8th.

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PLANNING BOARD'S RECOMMENDATION CONCERNING AFFORDABLE HOUSING

Alderman Bryan requested a follow-up report from the Town Manager on the Planning Board's recommendation concerning affordable housing.

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MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE MEETING BE ADJOURNED AT 9:37 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk