

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 17, 1994 at 7:50 P.M. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Michael Nelson
	Randy Marshall
	Hank Anderson
	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 JAY BRYAN AND SECONDED BY HANK ANDERSON THAT THE MINUTES OF MAY 10, 1994 BE APPROVED. VOTE: AFFIRMATIVE ALL.

PRESENTATION OF RESOLUTION HONORING JAMES SPIVEY

Aldermen Bryan presented a resolution to James Spivey thanking him for his assistance in publishing the Downtown Design Guidelines. (This resolution was adopted on May 10, 1994.)

BUDGET REQUEST

Eileen Helton, ArtsCenter Director, explained the \$15,000 budget request of the Town. Ms. Helton explained that the ArtsCenter is attempting to purchase the building and is engaged in a \$900,000 capital campaign. Ms. Helton cited grants received from companies in the Research Triangle Park.

The Board thanked Ms. Helton and praised the efforts of the ArtsCenter.

LETTER FROM CITIZENS FOR LIVABLE COMMUNITIES

Marty Mandel explained a letter from Citizens for Livable Communities regarding an amendment, which the County Commissioners are considering, to the county's Land Use Plan that would create a new land use category enabling water and sewer service and, therefore, relatively high density development areas adjacent to urban areas. The Citizens for Livable Communities request that the Board of Aldermen ask the County Commissioners to reject the proposed amendment.

The Board delayed discussion of this matter until later during this meeting when discussion of Orange County's proposed Committee on water and sewer service area boundaries is addressed.

PUBLIC HEARING SET/VOLUNTARY ANNEXATION-WEXFORD SUBDIVISION, PHASE II

The following resolution was introduced by Alderman Marshall and duly seconded by Alderman Anderson.

A RESOLUTION SETTING A PUBLIC HEARING
TO CONSIDER THE ANNEXATION OF WEXFORD, PHASE II
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 53/93-94

WHEREAS, the Town of Carrboro has received a petition from the owners of the Wexford, Phase II requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

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

Section 1. The Board of Aldermen shall hold a public hearing on June 7, 1994 to consider the voluntary annexation of the Wexford Subdivision, Phase II.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in The Chapel Hill News at least ten days prior to the date of the public hearing.

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 17th day of May, 1994:

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

Noes: None

Absent or Excused: None

MANAGER'S RECOMMENDED 1994 BUDGET REVIEW SCHEDULE

The Town Manager presented his recommended budget for Fiscal Year 1994-95 and requested that the Board of Aldermen adopt a budget review schedule.

By consensus, the Board changed the proposed Thursday, June 02, 1994 worksession to Wednesday, May 25, 1994 at 8:30 P.M.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE FOLLOWING 1994-95 BUDGET REVIEW SCHEDULE BE APPROVED:

1994-95 BUDGET REVIEW SCHEDULE

Thursday, May 19th - 7:30 p.m.

1. Overview of CIP, Five-Year Plan and Debt Service (30 min.)
2. Police Department (30 min.)
3. Fire Department (30 min.)
4. Planning Department (30 min)
Transportation Budget

Tuesday, May 24th

Public Hearing/1994-95 Budget

Wednesday, May 25th - 8:30 p.m.

1. Public Works Department (30 min.)
2. Recreation Department (30 min.)
3. Administrative Services (30 min.)
Town Manager
Town Clerk
Governance

Tuesday, June 7th

Board directs Manager to prepare revised budget.

Tuesday, June 21st

Adoption of 1994-95 Budget, Pay Plan and Miscellaneous Fees and Charges Schedule

VOTE: AFFIRMATIVE ALL.

REQUEST FOR CONDITIONAL USE PERMIT EXTENSION/RIDGE HAVEN

Gary Buck was granted a conditional use permit on June 23, 1992 to build the Ridge Haven Subdivision. The permit will expire on June 23, 1994 because no work has occurred on the site at 101 Rock Haven Drive. Mr. Buck is requesting a one-year extension of the CUP and the administration is recommending that the Board grant the one-year extension.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE CONDITIONAL USE PERMIT FOR THE RIDGE HAVEN SUBDIVISION BE EXTENDED FOR ONE YEAR. VOTE: AFFIRMATIVE ALL.

1994-95 BUDGET RECOMMENDATIONS FROM THE HUMAN SERVICES COMMISSION

Christine Taylor, Chair of the Human Services Advisory Commission, presented the Commission's recommendations for the 1994-95 fiscal year.

The Board received the recommendations.

REPORT ON TOWN POLICY CONCERNING MINORITY- AND WOMEN-OWNED BUSINESS PARTICIPATION IN TOWN PURCHASING

The Board of Aldermen requested that a report be given on Town policy concerning purchases of materials, goods, equipment and services from women- and minority-owned businesses.

Larry Gibson, Assistant Town Manager, made the report to the Board. Mr. Gibson explained the Town's policy concerning purchases, and outlined the procedures by which a Board-adopted resolution dealing with construction contracts that exceed \$100,000.00 in cost will be implemented in future projects.

The Board directed staff to investigate, for accuracy, the percentage goal specified for MWBE participation goal.

The Board received the report.

PRESENTATION OF DRAFT OPEN SPACE ORDINANCE

The Board requested that the town attorney draft an open space ordinance as a result of a staff report presented to the Board in January 1994 regarding open space zoning and development techniques.

Michael Brough, Town Attorney, reviewed the proposed draft ordinance.

Roy Williford, Planning Director, displayed overhead slides depicting the impact of a 50% open space requirement on a tract of land.

By consensus, the Board requested the following additional information:

1. Contact LOUDOUN COUNTY, VIRGINIA; WEST TISBURY, MA; LIVINGSTON COUNTY, MI; GRAFTON, MA; AND EAST LYME, CT., (the towns/county previously contacted regarding their open space ordinances) to ascertain how they address the issue of the difference between the 50% requirement and the 25% preserved area.
2. Contact the Board of Realtors of LOUDOUN COUNTY, VIRGINIA; WEST TISBURY, MA; LIVINGSTON COUNTY, MI; GRAFTON, MA; AND EAST LYME, CT., (the towns/county previously contacted regarding their open space ordinances) to ascertain the impact of the 50% open space requirement on housing needs in their respective areas.
3. Contact the Board of Realtors of LOUDOUN COUNTY, VIRGINIA; WEST TISBURY, MA; LIVINGSTON COUNTY, MI; GRAFTON, MA; AND EAST LYME, CT., (the towns/county previously contacted regarding their open space ordinances) to ascertain the demand for houses on tiny/small lots verses the demand of houses on large lots.
4. Contact the Board of Realtors in the Carrboro area to ascertain the demand for houses on tiny/small lots verses the demand of houses on large lots.

- 5. Contact Marvin Collins regarding a publication recently purchased by the County on open space.

The Board will have a worksession regarding this matter on June 28, 1994.

BUDGET AMENDMENT

The administration asked that the Board adopt a budget amendment to appropriate \$20,016 from the General Fund balance to cover the costs of contracting with the architectural firm of Cherry Huffman to perform a space needs study.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY MICHAEL NELSON TO ADOPT AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY '93-94 BUDGET ORDINANCE". VOTE: AYES 5; NOES 2 (Kinnaird, Gist).

DISCUSSION OF ORANGE COUNTY'S PROPOSED COMMITTEE TO DISCUSS WATER AND SEWER SERVICE AREA BOUNDARIES

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Hank Anderson.

A RESOLUTION APPROVING A PROPOSED COMPOSITION OF
AND CHARGE TO A COMMITTEE TO PROPOSE UTILITY SERVICE AREA
BOUNDARIES, AND APPOINTING TWO BOARD MEMBERS
TO SERVE ON THE COMMITTEE
Resolution No. 54/93-94

Section 1. The Board of Aldermen approves the following composition of and charge to a committee to propose utility service area boundaries.

Purposes of considering water and sewer service area boundaries:

1. To enable local governments and utilities to make long-term plans with known rather than continuously changing boundaries.
2. To eliminate or minimize the potential for conflicts regarding utility service areas and future annexation areas.
3. To complement the existing framework of land use plans under the Joint Planning and Cooperative Planning agreements.

Composition: Two representatives from each of the following entities:

- Orange County Board of Commissioners
- Hillsborough Board of Commissioners
- Carrboro Board of Aldermen
- Chapel Hill Town Council
- Orange Water & Sewer Authority Board of Directors

Charge 1: To make a report and recommendations by October, 1994 to the Orange County Board of Commissioners, Hillsborough Board of Commissioners, Carrboro Board of Aldermen, Chapel Hill Town Council and Orange Water and Sewer Authority Board of Directors regarding long-term water and sewer service area boundaries in Orange County.

Charge 2: To develop a proposal for water and sewer service areas which is based on broad policy considerations of the elected boards, including those policies in intergovernmental planning agreements.

Charge 3: The Committee's report to be submitted in October, 1994 shall be considered a proposed basic framework as a starting point for developing an agreement(s). This report shall not include a discussion of oversight of community or alternative wastewater systems or of the timing of public water and sewer extensions within long-term service area boundaries.

Charge 4: If the boards represented on the Committee agree in principle on a proposal for long-term service area boundaries, the Committee shall

draft a proposed agreement(s) for consideration by the local government and utility boards. This agreement may provide that matters involving extension of public water and sewer in the Rural Buffer are to be separately discussed.

Charge 5: If the boards agree in principle on a proposed agreement, the Committee shall seek to meet with representatives of additional jurisdictions and utilities which may need to be included in agreement(s). The additional entities would include but not necessarily be limited to the Orange Alamance Water System, City of Durham, Mebane, Graham, etc. A proposed agreement with these additional entities would be submitted for consideration by all parties.

Footnotes: The Committee, and each of the boards involved in the process above, would hold public hearing(s) at such times as each determines appropriate. The Committee would be a public body with open meetings in accord with State law.

Section 2. The Board of Alderman appoints Michael Nelson and Jay Bryan (Randy Marshall, alternate) to represent the Board on the Committee.

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 17th day of May, 1994:

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

Noes: None

Absent or Excused: None

The Board discussed the letter read by Marty Mandell from Citizens of Livable Communities requesting that the Board of Aldermen ask the County Commissioners to reject the proposed amendment.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES THAT THE PROPOSED "CP-2-94 PROPOSED OPEN SPACE DEVELOPMENT AREA LAND USE PLAN CATEGORY" NOT BE PASSED UNTIL THE STUDY IS COMPLETED BY THE COMMITTEE ON WATER AND SEWER SERVICE AREA BOUNDARIES. VOTE: AFFIRMATIVE ALL.

The Board requested that the membership list of the Citizens for Livable Communities be gotten for distribution to the Board.

REPORT FROM THE COMMUNITY BUILDING SUBCOMMITTEE

The Board received a report from the Community Building Subcommittee and asked the town attorney review and comment on the report.

This matter was referred to the Agenda Planning Committee for scheduling.

LETTER FROM THE CATES FARM SUBDIVISION'S ATTORNEY

The Board received a letter regarding the moving of graves from the Cates Farm Subdivision site.

The Board directed staff to inform the attorney that the graves are not to be moved until the Board considered the matter. This matter was referred to the Agenda Planning Committee to schedule for discussion.

YOUTH COMMITTEE REPORT

The Board referred this matter to the Agenda Planning Committee for scheduling.

ECONOMIC DEVELOPMENT COMMISSION APPOINTEE

The process has begun to appoint someone to the State Economic Development Commission. Names of possible appointees has been received by the Board.

The Board referred this matter to the Agenda Planning Committee.

ASSEMBLY OF GOVERNMENTS MEETING

The Assembly of Governments has scheduled a June 29, 1994 meeting.

The Board requested that staff get an agenda for the meeting, ask what the structure of the meeting will be, and ascertain who has input in the development of the agenda.

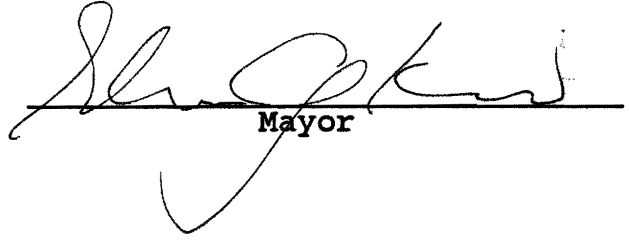
ALTERNATE APPOINTEE TO THE ORANGE COUNTY DISABILITIES COUNCIL

A request was received from Ellen Perry, who is the Town's representative to the Orange County Disabilities Council, asking that an alternate representative be appointed.

It was the consensus of the Board to appoint Marty Ravellette as an alternate representative to the Orange County Disabilities Council.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY MICHAEL NELSON THAT THE BOARD ADJOURN TO AN EXECUTIVE SESSION. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON THAT THE BOARD ADJOURN AT 12:10 A.M. VOTE: AFFIRMATIVE ALL.



Mayor

Deputy Town Clerk