

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 22, 1995 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
	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 JACQUELYN GIST AND SECONDED BY HANK ANDERSON TO APPROVE THE MINUTES OF AUGUST 15, 1995. VOTE: AFFIRMATIVE ALL.

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**CHARGE ISSUED**

The Deputy Town Clerk issued a charge to Frank R. Hammill, Jr., a recent appointee to the OWASA Board of Directors.

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**VOLUNTEERED COMPUTER SERVICES TO THE TOWN**

Maya Barton, Wexford resident and computer expert, volunteered her and nine other computer hardware and software professionals' services to provide technical assistance to the Town in an effort to expedite the time the Town can respond to concerns about the current Connector Road plans presented to the Town by the Concerned Citizens of Wexford.

The Board directed staff to confer with the computer hardware and software professionals to determine how practical this proposed work relationship would be, could the work relationship be perceived as bias or a conflict of interest, and what volunteer services would be given. The results of this meeting are to be presented at the next Board meeting. The Board also directed staff to investigate the possibility of getting students from North Carolina State or UNC's Planning Department to assist staff in this endeavor. After the aforementioned actions have taken place, staff was directed to refer this matter to the Transportation Advisory Board and the Planning Board.

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**LAND USE ORDINANCE TEXT AMENDMENT TO CLARIFY CERTAIN PROVISIONS REGARDING OPEN SPACE**

Roy Williford, Planning & Economic Development Director, explained that the purpose of this item was for the Board of Aldermen to hold a worksession and at the conclusion of the worksession to set a public hearing for September 5, 1995 to consider an amendment to the Land Use Ordinance which clarifies certain provisions in the ordinance regarding open space.

Michael Brough, Town Attorney, explained that after reviewing the ordinance the Board adopted on June 27, 1995 which amended the Land Use Ordinance regarding provisions for open space, there were a number of amendments needed to facilitate the staff's administration of the new open space ordinance. Mr. Brough reviewed, section by section, the proposed ordinance amendment.

MOTION WAS MADE BY MIKE NELSON AND SECONDED BY JAY BRYAN TO SET A PUBLIC HEARING FOR SEPTEMBER 05, 1995 TO RECEIVE CITIZENS' INPUT REGARDING SECTIONS 1, 2, 5, AND 6 OF THE PROPOSED ORDINANCE AMENDMENT AND THAT THE AGENDA PLANNING

COMMITTEE SCHEDULE A MEETING DATE TO DISCUSS SECTIONS 3 AND 4. VOTE: AFFIRMATIVE ALL.

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**PUBLIC HEARING/AMENDMENT TO LAND USE ORDINANCE TO PROVIDE FOR THE EXTENSION OF PERFORMANCE GUARANTIES UNDER LIMITED CIRCUMSTANCES**

Lisa Bloom-Pruitt, Senior Planner, explained that the Arcadia Homeowners' Association was requesting that the Board of Aldermen extend the letter-of-credit for the community house an additional ten months. Ms. Bloom-Pruitt reviewed the circumstances of this matter and stated that the administration recommended that the extension be granted.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY MICHAEL NELSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE THAT PERFORMANCE GUARANTIES RELATING TO REQUIRED IMPROVEMENTS IN SUBDIVISIONS MAY BE EXTENDED BEYOND THE INITIAL TEN MONTHS UNDER LIMITED CIRCUMSTANCES" BE ADOPTED. VOTE: AFFIRMATIVE ALL.

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**PRELIMINARY REPORT/UNC LAND USE PLANNING ADVISORY BOARD**

Roy Williford, Planning & Economic Development Director, explained that Carrboro's UNC Land Use Planning Advisory Board was presenting this report to the Board of Aldermen outlining community interests and planning objectives associated with property owned by the University of North Carolina located in Carrboro's northern planning area.

Alderman Bryan, chairman of the UNC Land Use Planning Advisory Board, explained that the Advisory Board divided into three subcommittees to address three main issues which were land use, environment, and transportation. The Board discussed the report with members of the Advisory Board.

By consensus, the Board agreed to accept the report from the UNC Land Use Planning Advisory Board and requested that the report be forward to the University of North Carolina.

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**RENEWAL OF HOUSEHOLD HAZARDOUS WASTE CONTRACT WITH TRIANGLE J COG**

The agreement between the Triangle J Council of Governments and the Town of Carrboro, the Town of Chapel Hill, the City of Durham, the County of Orange, the County of Wake, the County of Durham, and the County of Chatham concerning the regional administration of a household hazardous waste collection program is set to expire on August 31, 1995. The administration recommended the adoption of a resolution authorizing the Town Manager to execute a renewal contract with the Triangle J Council of Governments and participating governments. The 1995-96 Landfill Owners Group's budget includes funding for this program.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A RENEWAL AGREEMENT  
WITH THE COUNTY OF CHATHAM, THE COUNTY OF DURHAM,  
THE COUNTY OF WAKE, THE CITY OF DURHAM, AND THE TOWN OF CHAPEL HILL  
TO CONTRACT WITH THE TRIANGLE J COUNCIL OF GOVERNMENTS FOR THE REGIONAL  
ADMINISTRATION OF HOUSEHOLD HAZARDOUS WASTE COLLECTION

Resolution No. 4/95-96

WHEREAS, the initial contract is set to expire on August 31, 1995; and

WHEREAS, the Household Hazardous Waste Program can be most effectively managed from a single source;

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

Section 1. The Board of Aldermen hereby authorizes the Town Manager to execute a renewal contract with the Triangle J Council of Governments for the regional administration of the Household Hazardous Waste Program.

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 22nd day of August, 1995:

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

Noes: None

Absent or Excused: None

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**AUTHORIZATION TO REQUEST PROPOSALS FOR ENGINEERING SERVICES**

Roy Williford, Planning & Economic Development Director, stated that the purpose of this item was to review and approve a Request for Proposals (RFP) to retain professional engineering services and to establish a committee responsible for reviewing proposals and recommending final candidates to the Board of Aldermen.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HANK ANDERSON THAT:

1. A Selection Committee be created.
2. That Jay Bryan be appointed Alderman representative on the Selection Committee
3. The RFP be approved with the addition of the following text designated as bullet text: "Perform engineering services as associated with approved land use plans, construction plans, or existing Town facilities that the Board of Aldermen may so direct."

VOTE: AFFIRMATIVE ALL.

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**DISCUSSION OF ORDINANCE REQUIRING OWASA TO SEEK PERMITS**

Michael Brough, Town Attorney, reviewed a proposed amendment to the Land Use Ordinance which would require OWASA to obtain a permit under Carrboro's Land Use Ordinance for the construction of major water and sewer mains under certain circumstances and a corresponding amendment to Section 7-12 of the Town Code which would require Town-permission before any excavation work is done in Town streets.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN CODE TO CLARIFY THAT ENCROACHMENT PERMITS MUST BE OBTAINED BY UTILITIES EXCAVATING TOWN STREETS IRRESPECTIVE OF WHETHER SUCH UTILITIES ARE COVERED BY FRANCHISE ORDINANCES" BE ADOPTED. VOTE: AYES 6 (Nelson, Marshall, Anderson, Kinnaird, Shetley, Bryan); NOES 1 (Gist); ABSENT/EXCUSED 0.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE AGENDA PLANNING COMMITTEE SCHEDULE A MEETING TO REVIEW THE MEMORANDUM-OF-UNDERSTANDING WITH THE TOWN'S REPRESENTATIVES TO THE OWASA BOARD OF DIRECTORS AND TO DISCUSS OTHER ISSUES REGARDING THE WORK RELATIONSHIP WITH OWASA. VOTE: AFFIRMATIVE ALL.

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**DISCUSSION OF ENVIRONMENTAL REVIEW BOARD**

At the December 6, 1994 Board meeting, the Board requested Mayor Kinnaird and Alderman Nelson to rewrite the charge for the Environmental Advisory Board. The purpose of this agenda item was to review this charge and give direction to the town administration on how to proceed on this item.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT THE "REVISED CHARGE" FOR THE ENVIRONMENTAL ADVISORY BOARD BE APPROVED WITH THE MEMBERSHIP SPECIFICATION AS SEVEN AND THAT THE TOWN ATTORNEY DRAFT AN AMENDMENT TO THE LAND USE ORDINANCE ACKNOWLEDGING THE EXISTENCE OF THE ADVISORY BOARD. VOTE: AFFIRMATIVE ALL.

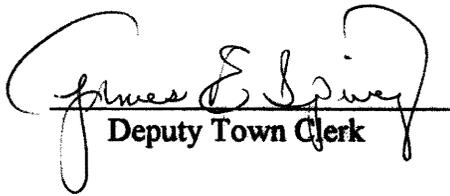
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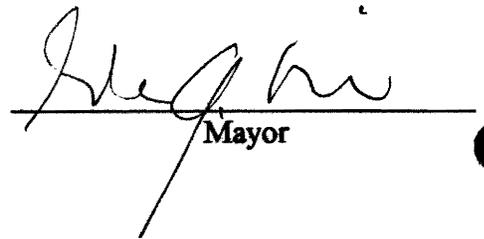
**PUBLIC HEARING SET/ LAUREL AVENUE STREET CLOSING**

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE HELD ON SEPTEMBER 12, 1995 TO RECEIVE CITIZENS' INPUT REGARDING CLOSING LAUREL AVENUE FOR THE CARRBORO DAY CELEBRATION. VOTE: AFFIRMATIVE ALL.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDY MARSHALL THAT THE MEETING BE ADJOURNED AT 10:59 P.M. VOTE: AFFIRMATIVE ALL.

  
Deputy Town Clerk

  
Mayor