

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 2, 1996 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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|---------------|---------------------|
| Mayor         | Michael Nelson      |
| Aldermen      | Hank Anderson       |
|               | Jay Bryan           |
|               | Hilliard Caldwell   |
|               | Jacquelyn Gist      |
|               | Diana McDuffee      |
|               | Alex Zaffron        |
| Town Manager  | Robert W. Morgan    |
| Town Clerk    | Sarah C. Williamson |
| Town Attorney | Michael B. Brough   |

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE HILLIARD CALDWELL AND SECONDED BY JAY BRYAN TO APPROVE THE MINUTES OF MARCH 26, 1996. VOTE: AFFIRMATIVE ALL

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**CHARGE ISSUED TO NEW BOARD APPOINTEE**

The Town Clerk issued a charge to Lillie Atwater, a recent appointee to the Human Services Commission.

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**CERTIFICATES OF APPRECIATION PRESENTED**

The Mayor presented certificates of appreciation to Henry Richardson for his service while serving on the Planning Board, and to Deanna Richey Johnson for her service while serving on the Human Services Commission.

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**PROCLAMATION ISSUED**

Mayor Nelson read a proclamation proclaiming April 4, 1996 as a DAY WITHOUT VIOLENCE in the Town of Carrboro.

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**REQUEST FOR AMENDMENT TO LAND USE ORDINANCE**

Ty Hunter, on behalf of UCC Living Centers, requested that the Board consider amending the definition of senior citizen complex in the Land Use Ordinance in order that they may subdivide their property located at the corner of Smith Level Road and Culbreth Road to allow construction of senior citizen housing.

It was the consensus of the Board to request the Town Attorney to draft an amendment for consideration by the Board in a public hearing on May 14, 1996.

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**TOWN COMMONS**

Chuck Morton requested assistance in installing the fence to the south of the town commons, requested that surrounding residents be informed of upcoming events at the town commons, requested that the Board consider limiting amplified sound devices at the town commons, and asked that the adjoining residents be considered when events are scheduled.

Alderman Gist requested that a calendar of events for the town commons be distributed to the adjoining neighbors.

Alderman Bryan requested a status report on the installation of the fence.

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**674**  
**PUBLIC HEARING/NO PARKING ALONG PATHWAY DRIVE AND CATES FARM ROAD**

The Board of Aldermen received public comment on an ordinance amending the Town Code which would prohibit parking along Pathway Drive and Cates Farm Road weekdays between the hours of 7:00 - 9:00 a.m. and from 2:00 -6:30 p.m.

Kenneth Withrow, the town's Transportation Planner, presented the proposed ordinance.

Mel Freeman, a resident of Pathway Drive, stated that there is minimal bike traffic along Pathway Drive. Mr. Freeman stated that it is very difficult not to parking on Pathway Drive when they have visitors. Mr. Freeman expressed concern about limiting parking on the street.

Rich Henderson, a resident of Pathway Drive, stated that there are currently no parking signs up and no parking is enforced. Mr. Henderson stated that he does not feel the safety concerns have been a problem. Mr. Henderson stated that residents need to be able to park on the street because of the lack of parking in driveways. Mr. Henderson stated that his other neighbors are against this parking prohibition.

Cary Harris, a resident of Pathway Drive, stated that limiting parking on Pathway Drive is unnecessary. Mr. Harris stated that driveways are narrow and short so on-street parking is needed. Mr. Harris stated that there is a sidewalk along Pathway Drive and children should be walking along that sidewalk, not in the street.

John Brandon, a resident of Pathway Drive, stated that he feels the bikelanes should be on Hillsborough Road rather than on Pathway Drive.

It was the consensus of the Board to delay voting on this matter until April 16th.

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**STATUS REPORT/REPLANTING OF BUFFER AT LOT 148, LAKE HOGAN FARM**

Chris Hogan requested authorization to replant the buffer in the Fall of 1996 because of that being the best time to plant trees.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST TO AUTHORIZE MR. HOGAN TO REPLANT THE BUFFER BY NOVEMBER, 1996 ACCORDING TO LETTER DATED DECEMBER 27, 1995 TO CHRIS HOGAN FROM PATRICA MCGUIRE, AND THAT IF ANY OF THESE PLANTS DIE WITHIN 2 YEARS OF BEING PLANTED, THAT THEY BE REPLANTED BY MR. HOGAN. VOTE: AFFIRMATIVE ALL

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**REPORT ON PROVIDING JOB OPPORTUNITIES FOR CARRBORO CITIZENS**

The purpose of this item was to receive a brief slide presentation from John Ciannamea, President of the N.C. Technology Development Authority discussed how a business incubator could be established in the Town of Carrboro.

Mr. Ciannamea briefly discussed the process to complete a business incubator study and answered questions from the Board.

It was the consensus of the Board to schedule a worksession to consider what components the Board would like to have considered in a business incubator.

Board members requested that information on employment statistics, history of businesses started in incubators, and the incubator set up in northeastern part of state consisting of women and minorities.

Alderman Bryan requested additional information on the program in Goldsboro.

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**LIST OF SMALL AREA PLAN NEIGHBORHOODS**

The Board of Aldermen at its meeting on March 19th requested that the town staff provide a list of neighborhoods located within the Small Area Planning Area to assist it in selecting members to serve on the Facilitation Steering Committee. The town staff has prepared the list of neighborhoods.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST TO AUTHORIZE<sup>175</sup> THE TOWN STAFF TO MAIL OUT THE "SAMPLE LETTER" PROPOSED BY THE SMALL AREA PLAN FACILITATION COMMITTEE TO CITIZENS WHO SPOKE AT THE FEBRUARY 6, 1996 PUBLIC HEARING, IN ADDITION TO NEIGHBORHOOD ASSOCIATIONS FOR THOSE NEIGHBORHOODS LISTED IN TONIGHT'S AGENDA ITEM SOLICITING NOMINATIONS FROM RESIDENTS FOR MEMBERSHIP ON THE FACILITATION STEERING COMMITTEE. IN ADDITION, THAT A NOTICE BE PUBLISHED IN THE NEWSPAPER SOLICITING NOMINATIONS FOR MEMBERSHIP ON THE FACILITATION STEERING COMMITTEE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (CALDWELL)

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**LAND USE ORDINANCE REGULATIONS CONCERNING TOWERS AND ANTENNAS**

The purpose of this item was for the Mayor and Board of Aldermen to receive information concerning towers and antennas and consider whether to set a worksession to discuss the proposed amendment to the Land Use Ordinance.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO REQUEST THE TOWN ATTORNEY TO PREPARE THE PROPOSED ORDINANCE AND REFER THIS MATTER TO THE AGENDA PLANNING COMMITTEE TO SET A WORKSESSION. VOTE: AFFIRMATIVE ALL

Alderman Gist requested additional information on the health risks of antennas from an unbiased source.

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**CABLE T.V. COMMITTEE RECOMMENDATION ON USE OF LOCAL ORIGINATION SETTLEMENT FUNDS**

In lieu of providing Carrboro cable subscribers a local origination studio and equipment as required in the franchise ordinance, Time Warner has agreed to pay the town \$60,000. The first installment of \$30,000 was received last year and went directly into the town's General Fund. The Cable T.V. Committee has made recommendations for use of the remaining funds.

It was the consensus of the Board to delay action on this matter until April 16, 1996.

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**STATUS REPORT/OLD MILL VILLAGE BIKEPATH**

Kenneth Withrow presented an update concerning the progress of the Old Mill Village Bikepath.

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**BUDGET AMENDMENT/ENGINEERING SERVICES**

The Board was requested to amend the 1995-96 budget to allocate additional funds for engineering services.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY HILLIARD CALDWELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE 1995-96 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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**DISCUSSION OF A CHARGE FOR A BUDGET COMMITTEE**

Alderman Bryan presented a proposed charge for a budget committee for the Board's consideration.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Alex Zaffron.

A RESOLUTION ESTABLISHING A BUDGET REVIEW COMMITTEE  
FOR THE TOWN OF CARRBORO  
Resolution No. 33/95-96

WHEREAS, each year the Board of Aldermen approves an annual operating budget and capital improvements plan for the Town of Carrboro; and

176 WHEREAS, the Board of Aldermen both desires and attempts to solicit the input of the town's citizens with regard to the town's operating budget, capital improvements plan and general fiscal policies; and

WHEREAS, as an additional means for citizen perspective on the annual operating budget and capital improvements plan, the Board of Aldermen desires to form a town committee for utilizing such perspectives.

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

Section 1. That a Budget Review Committee be established consisting of three to five members to review the annual operating budget and capital improvements plan and to make recommendations to the Board of Aldermen by the second week in June of each calendar year concerning the following:

- a. The budget document and its format;
- b. The services and service levels of the operating budget and capital improvements plan;
- c. The overall direction of the annual operating budget and capital improvements plan;
- d. Any other matter relating to the annual operating budget, the capital improvements plan and the town's fiscal policies which the Committee wishes to bring to the attention of the Board of Aldermen;

Section 2. The Committee shall attempt to review the operating budget and capital improvements plan by examining the broad issues contained therein as opposed to line item by line item.

Section 3. The Committee shall forward its report to the Board of Aldermen in the form of either recommendations that are reached by consensus or opinions that are expressed by its individual members.

Section 4. At this time the materials to be reviewed by the Committee shall consist solely of the annual operating budget and any documents submitted to the Board of Aldermen for its deliberation and discussion of the budget.

Section 5. The Committee shall be staffed by either the Town Manager or the Assistant Town Manager.

Section 6. The Committee shall meet as needed, beginning with the presentation of the annual operating budget by the Town Manager to the Board of Aldermen in May, up until it makes its report to the Board.

Section 7. To the degree reasonably possible, the Committee should consist of citizens who have a particular expertise in or experience with issues surrounding budget, fiscal and public sector planning matters.

Section 8. By September 17, 1996, the Board of Aldermen shall review the work performed by this Committee on the 1996-1997 operating budget and capital improvements plan, and establish a standing budget committee in the town's ordinance based on what is learned from its initial experience.

Section 9. 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 2nd day of April, 1996:

Ayes: Alex Zaffron, Hilliard Caldwell, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

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#### SPECIAL WORKSESSION/ASSEMBLY OF GOVERNMENTS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO SET A WORKSESSION FOR MAY 30TH IN ORDER FOR THE BOARD TO PARTICIPATE IN THE ASSEMBLY OF GOVERNMENTS INFORMATIONAL MEETING AT 7:30 P.M. AT THE A.L. STANDBACK SCHOOL VOTE: AFFIRMATIVE ALL

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**PRESENTATION BY CITY OF BELMONT**

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO SET A WORKSESSION FOR APRIL 17TH TO RECEIVE A SLIDE PRESENTATION ON THE CITY OF BELMONT'S DEVELOPMENT ORDINANCE. VOTE: AFFIRMATIVE ALL

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**A RESOLUTION CALLING FOR A JOINT PUBLIC FORUM ON APRIL 18TH**

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Alex Zaffron .

A RESOLUTION CALLING A JOINT PUBLIC FORUM TO RECEIVE PUBLIC COMMENT AND TO HAVE A PUBLIC DIALOGUE ON ISSUES RELATED TO THE SITING OF THE NEXT SANITARY LANDFILL IN ORANGE COUNTY  
Resolution No. 35/95-95

WHEREAS, there is a need for anew landfill once the current facility reaches capacity and that the landfill be developed as part of an integrated solid waste management plan; and

WHEREAS, a landfill site search was initiated in 1990 by the governing bodies of Carrboro, Chapel Hill and Orange County; and

WHEREAS, the six-year landfill siting process has concluded with the Landfill Search Committee and the Landfill Owners Group both recommending Site OC-17 as the preferred site; and

WHEREAS, it is the intention of the Board of Aldermen to insure that all citizens and property owners be given ample opportunity to comment on the final recommendations; and

WHEREAS, the Board of Aldermen is committed to early adoption and implementation of an integrated solid waste management plan and a goal of a minimum 50% reduction of solid waste requiring disposal; and

WHEREAS, the Board of Aldermen is committed to insuring surrounding neighbors receive fair and just compensation for any losses; and

WHEREAS, the Landfill Owners Group has requested that the Board of Aldermen join in sponsoring a joint public forum.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1. That the Board of Aldermen expresses its desire to participate in a joint public forum to be scheduled on April 18, 1996 at 7:30 p.m. at the Chapel Hill Town Hall to discuss solid waste issues related to landfill siting and waste management.

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 2nd day of April, 1996:

Ayes: Alex Zaffron, Hilliard Caldwell, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

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**A RESOLUTION CALLING FOR A PUBLIC FORUM FOR APRIL 25TH**

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Alex Zaffron.

**A RESOLUTION CALLING A PUBLIC FORUM TO RECEIVE PUBLIC COMMENT  
ON AN OUTLINE OF GENERAL PRINCIPLES AND A SCHEDULE  
FOR CREATION OF A NEW JOINT SOLID WASTE MANAGEMENT AGENCY  
FOR ORANGE COUNTY**

Resolution No. 36/95-96

WHEREAS, the Landfill Reorganization Work Group was charged by the landfill owning governments to evaluate options for ownership, financing and administration of the next landfill and/or other solid waste management facilities and activities; and

WHEREAS, the Landfill Reorganization Work Group was charged to report back to the governing bodies on recommendations for ownership, financing and administration and a process for public debate and consideration of the associated issues; and

WHEREAS, a mission and goals statement was adopted by the governments of Orange County as an initial step in the reorganization of the solid waste management activities in Orange County; and

WHEREAS, the Landfill Reorganization Work Group has formulated and asked the governing bodies to consider an "Outline of the General Principles and Arrangements for Joint Solid Waste Agency to be created by the governing boards of Carrboro, Chapel Hill, Hillsborough and Orange County to Serve the Citizens, Businesses, and Institutions of the Orange County"; and

WHEREAS, the Landfill Reorganization Work Group has proposed a schedule for public discussion, consideration, and creation of a Joint Solid Waste Management Agency which would result in creation of a new solid waste management agency by January 1, 1997 that could begin operations on July 1, 1997.

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

Section 1. The Board of Aldermen will consider the "Outline of the General Principles and Arrangements for a Joint Solid Waste Agency to be Created by the Governing Boards of Carrboro, Chapel Hill, Hillsborough, and Orange County to Serve the Citizens, Businesses, and Institutions of the County.

Section 2. The Board of Aldermen will consider the proposed schedule and the creation of a Joint Solid Waste Management Agency.

Section 3. The Board of Aldermen will jointly host a public forum on reorganization of solid waste management services on April 25, 1996 at 7:30 p.m. at Carrboro Town Hall.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 2nd day of April, 1996:

Ayes: Alex Zaffron, Hilliard Caldwell, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

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**APPOINTMENT TO CHAPEL HILL AFFORDABLE HOUSING COMMITTEE**

Alderman Zaffron volunteered to serve as the Town of Carrboro's representative on the Chapel Hill Affordable Housing Committee.

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**SOUTHERN CITY ARTICLE ON GREENSBORO TOILET FLAPPER**

Alderman Bryan requested that the town staff forward copies of the recent article in the Southern City newsletter on Greensboro's Toilet Flapper to the OWASA representatives with the request that they ask the OWASA Board of Directors to consider this device.

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MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HANK ANDERSON TO ADJOURN AT 10:50 P.M. VOTE: AFFIRMATIVE ALL <sup>129</sup>

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Michael R. Nelson  
Mayor

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Town Clerk