

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 14, 1996 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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 BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE MINUTES OF APRIL 23, 1996, WITH CORRECTIONS. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT MODIFICATION/360 COMMUNICATIONS, INC.

The administration requested that a public hearing be set for May 28, 1996 to review an application for a minor modification of the conditional use permit for the 360° Communications, Inc. cellular tower located at 515 South Greensboro Street. This modification would allow for the replacement of the existing antenna array with an array of a different configuration. The original conditional use permit included a condition that such a change would require a public hearing by the Board of Aldermen.

It was the consensus of the Board to delay setting this public hearing until the Board holds a worksession to discuss towers and antennas.

PROCLAMATION ISSUED

Mayor Nelson read a proclamation proclaiming May 5-11 as National Drinking Water Week in the Town of Carrboro.

REPORT ON CARRBORO DAY

David Griffiths gave a brief status report on Carrboro Day 1996 and stated that the Carrboro Day Committee would like to have it be an annual event. Mr. Griffiths suggested that the Board select individuals to collect memories and photograph artifacts from Carrboro residents.

It was consensus of the Board that the Carrboro Day Committee select members to collect memories from Carrboro citizens.

STATUS REPORT ON GUN CONTROL STUDY COMMITTEE'S RECOMMENDATIONS

David Griffiths requested a status report on the recommendations made by the Gun Control Study Committee.

Alderman Gist stated that this matter is on the Board's 1996 Planning Retreat Action Agenda.

LETTER TO HILLSBOROUGH TOWN BOARD MEMBER

Alderman Caldwell requested that the Mayor send a note to Hillsborough Town Board member Catherine Martin wishing her a quick recovery from her recent traffic accident.

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/REVISION OF DEFINITION OF "SENIOR CITIZEN RESIDENTIAL COMPLEX"

The purpose of this public hearing was to receive citizens' comments regarding an ordinance amending the Land Use Ordinance to allow a "Senior Citizen Residential Complex" tract to be subdivided only when it is necessary to comply with the requirements of a governmental entity involved with the financing or approval of the project.

Lisa Bloom Pruitt, the town's Senior Planner, briefly explained the proposed amendment.

Ty Hunter, on behalf of UCC Living Centers, spoke in favor of the proposed amendment.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JAY BRYAN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PERMIT THE SUBDIVISION OF A TRACT DEVELOPED AS A SENIOR CITIZEN RESIDENTIAL COMPLEX." VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/PHASE I, SUNSET CREEK SUBDIVISION

Jim Brandewie, representing Homescape Development Company, Inc., has submitted a petition requesting the annexation of Phase I of the Sunset Creek Subdivision. This subdivision contains 19.9 acres and approximately 1.0 acre of adjacent right-of-way along SR 1009. The administration recommended adoption of the ordinance annexing this property effective May 31, 1996.

Alderman Bryan stated that Richard Ellington had complained about the late hour construction is going on and the parking of equipment along the public road.

It was the consensus of the Board to request the Town Manager to respond to Mr. Ellington's concerns and that the Town Manager notify Jim Brandewie of these complaints.

Alderman Gist requested that the concerns by Katherine Cole and Steve Garfinkle be addressed.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING PHASE I, SUNSET CREEK SUBDIVISION." VOTE: AFFIRMATIVE ALL

CONDITIONAL USE PERMIT MODIFICATION/BREWER LANE MIXED USE PROJECT

Donald and Brian Whittier have requested a minor modification to their conditional use permit for a mixed use project which includes 16 multi-family apartments in three buildings and a 5,900 square foot Tae Kwon Do Studio building on 1.635 acres located at 110 Brewer Lane. The requested change is to modify the footprint of the proposed Tae Kwon Do Studio. The administration recommended approval of the minor modification with conditions.

Keith Lankford, Zoning Administrator, explained the requested modification. Mr. Lankford stated that the administration and Appearance Commission recommended approval of the modification with the following conditions

1. That the stormwater issues be resolved to the satisfaction of the town's engineer.
2. That the developer plant a 2.5-inch caliper pecan tree in the same general area where the 21-inch pecan tree is now located.
3. That the project's landscape architect consult with the Zoning Division staff regarding the proposed landscape plan.

Don Whittier stated that they have been unable to locate the sewer for Mr. Atwater's property. Mr. Whittier stated that this problem is located in phase two of this project.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY ALEX ZAFFRON TO APPROVE THE MODIFICATION WITH THE FOLLOWING CONDITIONS:

1. That the stormwater issues be resolved to the satisfaction of the town's engineer.
2. That the developer plant a 2.5-inch caliper pecan tree in the same general area where the 21-inch pecan tree is now located.
3. That the project's landscape architect consult with the Zoning Division staff regarding the proposed landscape plan.

VOTE: AFFIRMATIVE ALL

PLAN FOR SPENDING HOME PROGRAM FUNDS

The purpose of this item was to present to the Board of Aldermen recommendations for spending the 1996-97 Home funds. The recommendations are based upon comments received at the public participation process held on March 6, 1996. The proposed plan is based upon the assumption that the Orange County Home Consortium will be funded at last year's amount of \$612,500.

James Harris, the town's Community and Economic Development Officer, stated that the Orange County Home Consortium proposes the following activities for 1996-97:

- \$336,600 for Transitional Housing to assist the Interfaith Council and Freedom House in the construction of drug and alcohol free housing for low-income and homeless residents.
- \$35,000 to Habitat for Humanity for site improvements for five lots in Culbreth Park and \$70,000 to the Orange Community Housing Corp. for site improvements on the Scarlet Drive and Legion Road site.
- \$130,000 to the Mental Health Assoc. to purchase and, if necessary, renovate several condominiums in a complex for severely and persistently mentally ill residents.

Alderman Bryan requested a status report on how the town's contributions to the Orange County Home Consortium have been used. Alderman Bryan also requested an accounting of what is expected out these programs.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE PROPOSED SPENDING OF HOME PROGRAM FUNDS FOR 1996-97. AFFIRMATIVE ALL

WILSON PROPERTY ACQUISITION TO BUFFER ORANGE REGIONAL LANDFILL

The Wilson property consists of 4.05 acres located directly adjacent to and west of the current South Eubanks landfill. This parcel is not part of Site OC-17. The current South Eubanks landfill area was approved several years ago when the minimum required buffer along the perimeter was 100 feet. More recent regulations require a minimum 300-foot buffer on newly developed sites. Acquiring this property would allow the extension of the current buffer to about 300 feet. The administration recommended the Board adopt a resolution which would authorize the Town of Chapel Hill as administrator for the landfill to use Land Reserve Funds to purchase this property and amend the current landfill budget to appropriate \$24,300 to purchase this tract.

The following resolution was introduced by Alderman Alex Zafron and duly seconded by Alderman Hank Anderson .

A RESOLUTION AUTHORIZING THE CHAPEL HILL TOWN MANAGER
TO UTILIZE THE LANDFILL RESERVE FUND-RESERVE FOR ACQUISITIONS
TO PURCHASE THE PROPERTY KNOWN AS THE
WILSON PROPERTY (Tax Map Reference: 7.18..27C)
Resolution No.41/95-96

WHEREAS, the Landfill Owners Group has been approached by the owner of a 4.05 tract of property that adjoins the current landfill on Eubanks Road; and

WHEREAS, the Landfill Owners Group would have an interest in obtaining this property in order to expand the current minimal buffer area and

WHEREAS, there is a preliminary conditional agreement that the purchase price will be \$ 6,000 per acre, with the total to be determined by a survey prior to closing;

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

Section 1. The Board of Aldermen hereby authorizes the Chapel Hill Town Manager to use Landfill Land Reserve Funds to purchase the property known as the Wilson property at a cost of \$6,000 per acre, subject to the condition that Orange County, Chapel Hill and Carrboro enter into an agreement stipulating that the tract not be used for the landfilling of solid wastes or other associated active operational purposes.

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 14th day of May, 1996:

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

Noes: None

Absent or Excused: None

RECOMMENDATION FOR TOWN ENGINEER CONTRACT

The purpose of this agenda item was to provide the Board of Aldermen with a recommendation and contract for retaining the services of an engineer to perform the duties of Town Engineer.

Mr. Morgan requested that the Board delay action on this matter.

AWARD OF CONTRACT FOR AUDIT FIRM

The administration recommended that the firm of Dixon, Odom & Company be selected as the new audit firm. The administration requested that the Mayor be authorized to sign the Engagement to Audit contract required by the Local Government Commission.

MOTION WAS MADE BY JAY BRYAN AND SECONDED HILLIARD CALDWELL TO AWARD THE CONTRACT TO DALRYMPLE AND GRANT FOR ONE YEAR FOR A TOTAL COST OF \$19,000 AND THAT THE ADMINISTRATION BE DIRECTED TO SOLICIT PROPOSALS AGAIN IN 1997. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to form a subcommittee of the Board to review audit proposals in 1997.

REQUEST FOR EXTENSION OF BOND/ARCADIA SUBDIVISION

The Arcadia Co-Housing Corp. has requested an extension of their bonding period for amenities which are beyond the requirements of the Land Use Ordinance. Their current letter of credit in the amount of \$29,080.31 will expire on June 19,1996. Therefore, they would like to extend that letter of credit for an additional 12 months to allow them time to complete the project and to avoid the town having to call their letter of credit and hold funds until the work is completed. The administration recommended that the Board allow the developer to bond for the completion of the sidewalk and the paving of the fire lanes for an additional 12 months (July 1, 1997).

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ALLOW THE DEVELOPER TO BOND FOR THE COMPLETION OF THE SIDEWALK AND THE PAVING OF THE FIRE LANES FOR AN ADDITIONAL 12 MONTHS (JULY, 1997) VOTE: AFFIRMATIVE ALL

APPOINTMENTS TO ENVIRONMENTAL ADVISORY BOARD

The Board of Aldermen at its meeting on February 20, 1996 adopted an ordinance amending the Land Use Ordinance to create an Environmental Advisory Board. The Town Clerk has advertised for applicants and has received applications from Carla Ball, Kathleen Buck, Keith Burwell, Randy Dodd, Joseph LoBuglio, Dana Stidham, Richard Taylor. The Board was asked to either consider making appointments to the Environmental Advisory Board or direct the town staff to re-advertise for additional applications.

Mayor Nelson requested that action on this matter be delayed and that Alderman Anderson, Gist and Mayor Nelson review the applications and make recommendations for appointments.

WORKSESSION/PAY AND CLASSIFICATION STUDY

Mr. Morgan informed the Board that the contract with Municipal Advisors, Inc. expired with the presentation of the Pay and Classification Study to the Board. An additional fee of \$750.00 will be charged for the worksession with the Board.

It was the consensus of the Board to authorize the expenditure of \$750.00 for the consultant to meet with the Board in worksession on May 28, 1996.

PRESENTATION BY PEOPLES CHANNEL

Alderman Zaffron requested that Peoples Channel be invited to attend second public hearing on Time Warner's re-franchising scheduled for June 4th.

REMOVAL OF TREES IN DOWNTOWN AREA

Alderman Gist read a letter from Michael and Mary Savino, residents of Lindsay Street, reference cutting trees in the downtown.

Alderman Gist requested a staff report on this matter and requested that Chris Gerry and a representative with Duke Power meet with the Board concerning this matter.

Mayor Nelson asked that Sherry Ontjes be invited to attend this matter.

Alderman Bryan requested to know how many power outages in Carrboro were caused by fallen tree limbs this past winter.

LETTER FROM RESIDENT OF ROGERS ROAD

Alderman Caldwell asked that the LOG representatives be requested to asked that garbage trucks use New 86 and Eubanks Road rather than Rogers Road.

REQUEST FOR REPORT ON SPRINKLER REQUIREMENTS

Mayor Nelson asked for a report from the town staff on the town's sprinkler requirements

The Board expressed its desire to discuss the possibility of OWASA lowering its fees for sprinkler hookups.

Alderman Bryan suggested that the Board speak with the town's OWASA representatives at the worksession on June 4th concerning this matter.
