

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 23, 1997 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

**EVENTS ON TOWN COMMONS**

Judy Anderson complimented the town on the Squirrel Nut Zippers Concert and suggested that when additional concerts or other events are held, that Carrboro vendors be given an opportunity to sell their wares.

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**CONDOLENCES OFFERED**

Alderman Caldwell extended condolences to the families of the two law enforcement officers killed in the line of duty in Cumberland County today.

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**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JACQUELYN GIST TO APPROVE THE SEPTEMBER 16, 1997 MINUTES. VOTE: AFFIRMATIVE ALL

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**REQUEST TO SET PUBLIC HEARING/ZONING MAP AMENDMENT/REZONING OF 402 JONES FERRY ROAD**

The purpose of this item was to request the Board of Aldermen to set a public hearing to consider the rezoning of 1.5 acres of property located at 402 Jones Ferry Road from R-7.5 to M-1. The administration requested that a public hearing be set for October 7, 1997.

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JACQUELYN GIST TO SET A PUBLIC HEARING FOR OCTOBER 7, 1997. VOTE: AFFIRMATIVE ALL

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**REPORT FROM LANDFILL OWNERS GROUP/LANDFILL NEIGHBORS WORKING GROUP**

Alderman Gist presented the recommendations from the Landfill Owners Group/Landfill Neighbors Working Group addressing compensation to neighbors for having lived near the current landfill on Eubanks Road.

Alderman McDuffee urged the Board members to study the report and give the recommendations favorable consideration.

Gary Carver, a resident of Blackwood Mountain, stated that he feels the recommendations are needed to provide compensation to the neighbors of the landfill. Mr. Carver asked that the Board carefully consider their proposal and give encouragement to the town's representatives working on the Interlocal Agreement for operation of the landfill.

Cecil Griffin, a resident of Manor Drive, stated his appreciation for being able to participate on the working group. Mr. Griffin stated that there were a lot of heart-rending discussions at the work group meetings. The recommendations reflect a compromise for compensation to the landfill neighbors. Mr. Griffin expressed his desire to assist the Board in answering questions concerning the recommendations.

Ila McMillian, a member of the working group, stated that the community really needs the water service. Ms. McMillian stated that the residents currently have to buy water.

Robert Campbell, a member of the working group, asked for the Board's help in raising the standard of living for the Rogers Road neighborhood. Mr. Campbell stated that he feels the recommendations of the working group are very reasonable. Mr. Campbell stated that the water and sewer service is the most important request in the recommendations.

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### PROCLAMATION ISSUED

Alderman Caldwell read a proclamation proclaiming September 28, 1997 as Clifton Stone Day in the Town of Carrboro.

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### PUBLIC HEARING/TOWN OF CARRBORO TRANSPORTATION IMPROVEMENT PROGRAM

The Town of Carrboro annually adopts a list of transportation projects that are to be included within the N.C. Department of Transportation's Transportation Improvement Program (TIP). The purpose of this agenda item was to allow the Board of Aldermen to receive public comment on the list of projects included within the 1998-99 Carrboro TIP and endorse the TIP with any recommended changes.

Kenneth Withrow, the town's Transportation Planner, presented the following projects for inclusion on the 1998-99 Transportation Improvement Program:

1. Widen Highway Old 86 to 36 feet with curb and gutter, bikelanes and a sidewalk from the intersection of Old Fayetteville/Hillsborough Road to Homestead Road (Calvander Area).
2. Widen Estes Drive to three lanes from the Carrboro town limits to North Greensboro Street, and include bike lanes, and a right turn lane.
3. Widen Homestead Road to a two-lane section with a 16-foot grass median between High School Road and Old NC 86. Widen shoulders 4 feet and mark for bikelanes.
4. Widen Seawell School Road to include a four-foot shoulder section for bikelanes between Homestead Road and Estes Drive.
5. Widen Eubanks Road between Highway Old NC 86 to Rogers Road to include a four-foot shoulder section for bikelanes.
6. Construct a Homestead Road/Seawell School Road connector to 36 feet with curb and gutter, bikelanes, and a sidewalk on a new location.
7. Improve the intersection of NC 54 Bypass and West Main Street to improve pedestrian and bicycle access to Carrboro Plaza.
8. Provide pedestrian and bicycle access from BPW Club Road area to Westbrook Drive by building a pedestrian/bicycle bridge over Morgan Creek behind the Bluffs Apartments.
9. Construct a bicycle path between Rand Road and Wesley Street on a new location.
10. Construct a bicycle path between Old Fayetteville Road and Willow Creek Shopping Center on a new location.

Neal Mochel, Chair of the Transportation Advisory Board, stated that Items 7 and 8 are local and not very costly. Hopefully they will be funded when they are placed on the regional TIP.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE TRANSPORTATION IMPROVEMENT PLAN AS RECOMMENDED. VOTE: AFFIRMATIVE ALL

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**REVIEW AND REQUEST TO SET PUBLIC HEARING/ESTABLISHMENT OF BEDROOM LIMITATIONS FOR MULTI-FAMILY HOUSING**

On September 16th the Board received a request from Jane Burns, representing The Neighbors for the Responsible Development of Old Pittsboro Road, to rezone the Pittsboro Road area to accurately reflect current or existing land uses. The purpose of this item was to determine how to respond to this request in terms of amending the Land Use Ordinance to regulate future development in keeping with the character of the Old Pittsboro Road area.

Roy Williford, the town's Planning Director stated that there is a mix of housing types styles and densities in the Pittsboro Road area. Rather than creating a new zoning district to regulate the construction of multi-family/multiple-bedroom arrangements that would accommodate group living, it may be more appropriate to regulate the number of bedrooms allowed in any one unit. Therefore, the administration would recommend amending the language of the land use ordinance to limit the number of bedrooms in any one unit.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO SET A PUBLIC HEARING FOR OCTOBER 7, 1997 ON BOTH ALTERNATIVES TO AMEND THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

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**AMENDMENT TO HOUSEHOLD HAZARDOUS WASTE CONTRACT WITH LAIDLAW**

The administration requested that the Board authorize the Mayor to execute an amendment to the agreement with Laidlaw Environmental Services, Inc. to collect, package, transport and dispose of household hazardous waste. The current agreement would renew for a second three-year period unless the Town withdraws. The agreement will enable the Town, through Laidlaw to continue the collection and processing of household hazardous waste for Carrboro and Orange County residents.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Hilliard Caldwell.

**A RESOLUTION APPROVING THE AMENDED CONTRACT WITH LAIDLAW ENVIRONMENTAL SERVICES, INC. AND AUTHORIZING THE MAYOR TO SIGN SAID AMENDED CONTRACT  
Resolution No. 10/97-98**

WHEREAS, the Town of Carrboro has successfully participated in a contractual Agreement with Laidlaw Environmental Services, Inc. to collect and dispose of household hazardous wastes in the four-county region (Orange, Chatham, Durham and Wake); and

WHEREAS, the aforementioned Agreement has been successful in establishing and maintaining a program for the collection of household hazardous waste; and

WHEREAS, these same governing boards wish to amend the aforementioned Agreement concerning household hazardous waste collection.

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

Section 1. The Contractual Agreement for the Disposal of Household Hazardous Waste, dated October 5, 1994, is hereby amended as outlined in the attached amendment to the agreement.

Section 2. The Mayor of the Town of Carrboro is hereby authorized to sign the amendment agreement, the Town Attorney shall sign such amendment agreement as being reviewed and approved as to legal form and adequacy, and the Town Finance Officer shall sign such amendment agreement indicating that the contract has been pre-audited as required by the Local Government Budget and Fiscal Control Act.

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 23rd day of September, 1997:

Ayes: Alex Zaffron, Hilliard Caldwell, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Frances Shetley

Noes: None

Absent or Excused: None

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**REQUEST TO CANCEL NOVEMBER 11TH BOARD MEETING**

Stick Williams, President of the Public/Private Partnership, requested that the Board of Aldermen consider canceling its regular meeting scheduled for November 11, 1997 in order to allow Board members to attend the Public Private Partnership intercity visit to Ann Arbor, Michigan on November 10-12. Mr. Williams stated that the focus of the upcoming visit is sustainability.

Aldermen Anderson and Caldwell expressed interest in attending the PPP intercity visit. Alderman Caldwell stated that he would have to check his schedule before committing to the trip.

It was the consensus of the Board to wait until October 7th before taking action on whether to cancel the November 11th meeting.

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**AWARD OF BID/IMPROVEMENTS TO EXTERIOR OF TOWN HALL**

Cherry Huffman Architects, P.A. and the town staff recommended that the bid for improvements to the exterior of the Town Hall building be awarded to Southeastern Waterproofing Company, Inc. for a total of \$144,667.

Kathy Duncan, the town's Purchasing Officer, stated that the town makes a concerted effort to seek bids from minority firms, and that Southeastern Waterproofing is a female-owned business.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO AWARD THE BID TO SOUTHEASTERN WATERPROOFING COMPANY FOR A TOTAL COST OF \$144,667. VOTE: AFFIRMATIVE ALL

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**DISCUSSION OF RESULTS OF CABLE T.V. SURVEY**

During February 1997, a cable t.v. subscriber satisfaction survey was conducted. The responses were received and analyzed by the town's Cable Consultant Bob Sepe and staff. A copy of the consultant's report was given to the Board of Aldermen and the Board requested that a time be arranged to discuss the survey results.

Alderman McDuffee requested a copy of the questionnaire used for the survey and asked for information on how Carrboro's cable t.v. rates compare to rates from other towns in North Carolina.

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**DISCUSSION OF BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS**

The purpose of this item was to discuss the recommendations of the 1997-98 Budget Review Committee.

Larry Gibson, the town's Assistant Town Manager, stated that the administration recommended that the Budget Review Committee be a standing committee of the town and that the committee meet from December through May of each year.

Alderman Gist requested that Board pursue the Budget Review Committee's recommendation to establish a business development committee who would generate new ideas and develop strategies to bring desirable businesses to Carrboro.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ESTABLISH THE BUDGET REVIEW COMMITTEE AS AN ONGOING COMMITTEE WHICH WOULD MEET FROM DECEMBER THROUGH MAY, AND THAT THE TOWN ATTORNEY BE DIRECTED TO PREPARE THE NECESSARY TOWN CODE AMENDMENT TO MAKE THIS COMMITTEE A PERMENANT COMMITTEE OF THE TOWN. VOTE: AFFIRMATIVE ALL

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**BOARD COMMENTS ON OWASA'S PROVISIONAL RECOMMENDATIONS FOR PROTECTING CANE CREEK**

On August 26, 1997, the Board received a report from Al Reimer on OWASA's provisional recommendations for protecting the Cane Creek water supply. At that meeting, the Board expressed its desire to schedule an agenda item for tonight's meeting for the Board to make its final comments on that report.

Alderman Shetley requested that that OWASA make funds available to subsidize dairy farmers who are in either water supply watershed (University Lake or Cane Creek) and who have to meet Best Management Practices.

Alderman Zaffron stated that Creative Open Space zoning seems most appropriate and compatible with efforts to preserve water quality and the goals of the County's Flexible Development Ordinance. The notion of a Transfer of Development Rights program is attractive. Any program devised should be constructed in coordination with similar efforts by the Orange County Agricultural Districts Advisory Board and Economic Development Commission.

**MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ACCEPT OWASA'S REPORT WITH THE FOLLOWING COMMENTS:**

1. That OWASA make funds available to subsidize dairy farmers who are in either water supply watershed (University Lake or Cane Creek) and who have to meet Best Management Practices.
2. That Creative Open Space zoning seems most appropriate and compatible with efforts to preserve water quality and the goals of the County's Flexible Development Ordinance.
3. The Transfer of Development Rights program is attractive. Any program devised should be constructed in coordination with similar efforts by the Orange County Agricultural Districts Advisory Board and Economic Development Commission.
4. That existing 12-acre lots be allowed to subdivide into five two-acre tracts.

**VOTE: AFFIRMATIVE ALL**

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**BOARD COMMENTS ON OWASA'S PROPOSED REVISIONS TO UNIVERSITY LAKE WATER AND SEWER EXTENSION AND CONNECTION POLICY**

OWASA is requesting that the Board comment on its proposed revisions to the University Lake water and sewer extension policy.

Mr. Morgan stated that after talking with a representative from OWASA, there appears to be conflicts between the proposed policy and Orange County's policies, therefore, this item was provided as information only at this time.

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**APPOINTMENT TO ORANGE COUNTY JOINT MASTER RECREATION AND PARKS PLAN WORK GROUP**

Alderman Anderson agreed to serve as the town's representative on this work group.

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**REQUEST FOR STATUS REPORT/TRAFFIC PROBLEMS IN TENNIS CLUB ESTATES**

Mayor Nelson requested a status report on the outcome of the TAB's discussion of traffic problems in Tennis Club Estates.

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**REPORT ON BUSINESSES OUT OF COMPLIANCE WITH SIGN ORDINANCE**

Mayor Nelson requested a report on businesses that are out of compliance with the sign ordinance.

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**REQUEST FOR REPORT ON POSSIBLE SEWAGE SPILL IN PHIL'S CREEK**

Alderman Gist requested a report on a possible sewage spill into Phil's Creek, and if it did occur, what has been the effect on the fish.

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**REQUEST FOR REPORT ON COMPLIANCE WITH HANDICAPPED ACCESSIBILITY REQUIREMENTS**

Alderman Gist requested a report on whether new businesses that renovate old buildings have to meet handicapped accessibility requirements.

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**PARKING ON PRINCE STREET**

It was the consensus of the Board to ask the town staff to draft a no parking ordinance for Prince Street and to request Agenda Planning Committee to schedule a public hearing.

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**MAINTENANCE OF TOT LOTS**

Alderman McDuffee asked whether there is a process whereby homeowners associations can seek relief from maintaining tot lots. It was the consensus of the Board that if a homeowners association wishes to be relieved of the responsibility for maintenance of a tot lot, they should put that request in writing to the town.

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**STATUS OF PEDESTRIAN PATH IN THE CEDARS DEVELOPMENT**

Alderman McDuffee requested a status report on the construction of the pedestrian path along Bolin Creek Drive in the Cedars development.

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**AUTHORIZATION FOR EXPENDITURE OF FUNDS FOR SISTER CITIES PLAQUE**

The Board authorized the expenditure of \$41.10 as the town's share of the cost of a plaque being presented to the Governor of Saratov.

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**REQUEST FOR REPORT ON SCOPE OF IMPROVEMENTS TO SMITH LEVEL ROAD**

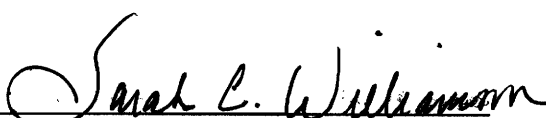
Alderman Zaffron requested a report on whether the scope of the Smith Level Road improvement projects has changed.

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MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY HILLIARD CALDWELL TO ADJOURN AT 9:50 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

  
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Town Clerk