

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 14, 1997 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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| 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 |

APPROVAL OF MINUTES

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE OCTOBER 7, 1997 MINUTES. VOTE: AFFIRMATIVE ALL

AMENDMENT TO MISCELLANEOUS FEES AND CHARGES SCHEDULE/CLEAN-UP FEE FOR PARK PICNIC SHELTER RENTALS

There have been requests to pay a clean-up fee to insure that shelters are clean when groups arrive for their rented use. The Recreation and Parks Commission has reviewed this need and recommends that the Board of Aldermen amend the Miscellaneous Fees and Charges Scheduled to allow a voluntary fee of \$50.00 to be paid in addition to the current shelter rental fee to provide for this option. The Commission and the town administration recommended that the Miscellaneous Fees and Charges Schedule be amended to add the following wording under Picnic Shelters: "Renters may opt to pay a \$50.00 fee (in addition to the regular rental fee) to pay for inspection and clean-up of the shelter prior to their rental."

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO AMEND THE MISCELLANEOUS FEES AND CHARGES SCHEDULE TO ADD THE FOLLOWING WORDING UNDER RECREATION FEES: "RENTERS MAY VOLUNTARILY OPT TO PAY A \$50.00 FEE (IN ADDITION TO THE REGULAR RENTAL FEE) TO PAY FOR INSPECTION AND CLEAN-UP OF THE SHELTER PRIOR TO ITS RENTAL." VOTE: AFFIRMATIVE ALL

AMERICAN STONE QUARRY/JOINT PLANNING AREA LAND USE PLAN AMENDMENT

The Board of Aldermen received a report on September 16, 1997 regarding the American Stone Quarry mediation process, and as a result, requested that a public hearing be set regarding American Stone Quarry's request to amend the Joint Planning Area Land Use Plan. The administration recommended that the Board formally request Chapel Hill and Orange County to proceed with a joint planning public hearing in April, 1998 to consider an amendment to the Joint Planning Area Land Use Plan for the expansion of the extractive use category.

Alderman Gist requested that the town staff contact the Town of Chapel Hill to determine whether they are holding a public hearing on this matter and to request that a joint public hearing be held sooner than April, 1998.

REVIEW OF PROPOSED CABLE T.V. FRANCHISE

The purpose of this agenda item was to review the proposed franchise agreement with Time Warner and to give the Mayor and Board of Aldermen a status report on the negotiations.

Mr. Morgan stated that the negotiating team or its representatives (Bob Sepe and Attorney Dave Permar) have met several times with Time Warner on the proposed franchise. There is still disagreement in the following areas: the term of the franchise, the franchise fee language, franchise non-exclusive, public access, and institutional networks. The negotiating team will be meeting with Time Warner again in late October in an attempt to resolve these outstanding issues. It is hoped that a final recommendation on the proposed franchise can be made before the first of 1998.

Alderman Gist expressed her concern about Time Warner being the only cable t.v. vendor in Carrboro.

Alderman Zaffron suggested that the non-profit group that the Town of Chapel Hill uses be considered as an option for public access.

Ellen Perry expressed concern about there not being a public access facility in Carrboro.

DISCUSSION OF WHETHER TO SET A JOINT PUBLIC HEARING/LANDFILL SITE OCR-17

The purpose of this item was to consider setting a joint public hearing regarding the presentation of socio-economic and demographic data for the areas surrounding the four finalist new landfill sites. This public hearing is required by the North Carolina Statutes because Site OCR - 17 is within one mile of the existing landfill site.

Mr. Morgan stated that the Town of Chapel Hill did not set a joint public hearing on this matter because of Duke's action and that this matter be discussed at the October 22nd joint meeting to consider the compensation recommendations.

Mayor Nelson and Alderman Gist reiterated that the compensation recommendations be discussed first at the October 22nd Assembly of Governments meeting.

PRESENTATION OF PROPOSED INTERLOCAL AGREEMENT CONCERNING SOLID WASTE MANAGEMENT MATTERS

The purpose of this item was to receive for consideration the latest draft of the Interlocal Agreement Concerning Solid Waste Management Matters.

Robert Jessup stated the County Commissioners and Chapel Hill Town Council have discussed the latest version of the Interlocal Agreement.

Alderman Gist stated that the community benefits for the existing landfill will be discussed at the Assembly of Governments meeting with Chapel Hill, Orange County, Hillsborough and Carrboro on October 22nd.

Mr. Jessup stated that re-organization of the landfill responsibility is ripe and discussion of the re-organization should be pursued regardless of the landfill siting.

B.B. Olive expressed his sentiment that Orange County is going out of the landfill business. Mr. Olive stated that current expenses exceed revenues by \$1.5 million per year for the current landfill operation. Mr. Olive pointed out that Section 1.02 (a) of the proposed Interlocal Agreement states that "No provision of this Agreement, other than the requirement to bargain as described in Section 1.03, shall become effective until the parties have selected the New Solid Waste management Site." Mr. Olive stated that the proposed agreement needs to be scraped unless Site OC-17 can be acquired. Mr. Olive urged the Board to come up with alternative ideas to dispose of solid waste. Mr. Olive spoke in favor of using the pyrolysis process.

Mike Brough pointed out that the Interlocal Agreement had been revised to allay his concern and now states that changes in solid waste management policies adopted by the county that trigger an increase in local government costs of 15%, must be approved by the unanimous consent of the local governments.

CARRBORO PARK AND RIDE LOT FUNDING

The Town of Carrboro needs a long-term solution to address the availability of a park-and-ride facility for commuters to the region's employment centers. The purpose of this item was for the Board to recommend that the Chapel Hill Town Council prioritize the replacement of the current Carrboro Park-and-Ride lot as a high priority of the Municipal Transportation Improvement Program.

Alderman McDuffee stated that she feels retaining the bus stop and park and ride lot at Plantation Plaza is very important, even if only 50 vehicles will be able to park at this location.

Alderman Shetley stated that a park and ride lot needs to be located in the same area as Plantation Plaza to keep event participant traffic from coming into town.

Mr. Morgan stated that the town staff will try to work out an interim agreement with the owners of the shopping center.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY FRANCES SHETLEY TO AUTHORIZE THE TOWN MANAGER TO REQUEST THE TOWN OF CHAPEL HILL TO INCLUDE AS A HIGH PRIORITY ITEM ON THEIR TRANSPORTATION IMPROVEMENT PROGRAM FUNDING FOR A NEW PARK AND RIDE LOT ALONG THE NC 54 CORRIDOR IN CARRBORO. VOTE: AFFIRMATIVE ALL

OPPOSITION TO "TAKINGS" LEGISLATION

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO authorize the Mayor to send a letter to Congressman Price urging him to oppose H.R. 1534 in the House and S. 1256 in the Senate.

REQUEST FOR MEETING WITH OWNERS OF PLANTATION PLAZA

Mayor Nelson requested that the Manager arrange a meeting with the owners of Plantation Plaza to discuss their redevelopment plan.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY HANK ANDERSON TO ADJOURN TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY/CLIENT PRIVILEGE AND A PERSONNEL MATTER. AFFIRMATIVE ALL

Sarah C. Williamson
Town Clerk

Michael R. Nelson
Mayor