A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 09, 1998 at 7:30 P.M. in the Town Hall Board Room.

Present and presiding:

Mayor

Michael Nelson

Aldermen

Hilliard Caldwell Jacquelyn Gist

Allen Spalt

Alex Zaffron

Town Manager

Robert W. Morgan

Town Attorney

Michael B. Brough

Deputy Town Clerk James E. Spivey

Absent:

Alderman Hank Anderson

STREET WIDENING WORK ON HILLSBOROUGH ROAD

Louis Hevia, 1311 Hillsborough Road resident, asked the Board of Aldermen to hold a public hearing regarding the street widening work taking place on Hillsborough Road. Mr. Hevia voiced concern that the road widening work requires property owners to loose a great deal of yard frontage and will change the character of the neighborhood.

The Board referred this matter to the town manager and public works director to meet with the community to review what road widening work was approved by the Town. Staff is to review the town-approved plans for the road widening work to ensure that the road widening activity being done by NCDOT correlates with the townapproved plans. Staff is to review the notification process used to notify property owners of the road widening activity. Mr. Hevia and his neighbors who were present were asked to leave their names with the Public Works Director so that they can be invited to attend the meeting that this matter will be further discussed.

The Board directed staff to make a report regarding this matter at the June 23, 1998 meeting.

NTRODUCTION OF VISITORS

Mayor Nelson introduced Jose Juis Moralies Rivero and Olga Lidia Portela Suarez. Ms. Suarez and Mr. Rivero are visiting from Matanzas, Cuba. The mayor and Commissioner Brown visited Matanzas, Cuba last year as part of a delegation.

MISSING PLAYGROUND EQUIPMENT/WILSON PARK

Alderman Gist stated that she had been contacted regarding the black horse (playground equipment) that is now missing from Wilson Park. Alderman Gist questioned what happened to the equipment and asked if it is to be replaced.

Richard Kinney, Recreation and Parks Director, responded that a piece of playground equipment, hopefully of similar style, will be installed that meets the Consumer Products Safety standards.

FIRE ALARM AT CARR MILL MALL

Alderman Gist informed that Board that a fire alarm sounded in a business in Carr Mill Mall over the weekend and the Fire Department did not have the code to turn off the alarm. The business owner(s) could not be contacted. Other businesses in Carr Mill Mall complained that their businesses suffered low patronage, if any. by shoppers due to the annoying alarm. Alderman Gist questioned if there was a requirement in the Town Code which requires the registration of fire alarm codes with the Town's Fire Department.

Rodney Murray, Fire Chief, stated that a report will be available regarding this matter at the Board of Aldermen's June 23, 1998 meeting.

APPROVAL OF MINUTES

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE JUNE 02, 1998 MINUTES. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

REQUEST TO SET PUBLIC HEARING/CDBG CLOSE-QUT

The Mayor and Board of Aldermen were requested to set a public hearing for June 23, 1998 to receive public comment on the close-out of the town's Community Development Block Grant.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO SET A PUBLIC HEARING FOR JUNE 23, 1998. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

BUDGET AMENDMENT

The purpose of this item was to request that the Board of Aldermen amend the 1997-98 fiscal year budget, transferring monies from non-departmental to the various operating accounts for service level benefits, merit increases and dependent health insurance coverage.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'97-98 BUDGET ORDINANCE. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

REQUEST TO SET PUBLIC HEARING/VOLUNTARY ANNEXATION/KENT WOODLANDS

Carol Ann Zinn, representing CAZCO, Inc. has submitted a petition requesting the annexation of Kel-Woodlands Subdivision. The Petition for Annexation requests that the Kent Woodlands Subdivision; which contains 14:015 acres, will contain 26 dwelling units, and is non-contiguous to the town limits, be annexed into the town. The administration requested adoption of a resolution which sets a public hearing date for June 23, 1998.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE ANNEXATION OF THE KENT WOODLANDS SUBDVISION UPON THE REQUEST OF THE PROPERTY OWNERS Resolution No. 49/97-98

WHEREAS, the Town of Carrboro has received a petition from the owner(s) of the Kent Woodlands Subdivision requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

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

- Section 1. The Board of Aldermen hereby accepts this petition and shall hold a public hearing on June 2 1998 to consider the voluntary annexation of this property.
- Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in the <u>Chapel Hill News</u> at least ten (10) days prior to the date of the public hearing.
 - 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 9nd day of June, 1998:

Ayes: Alex Zaffron, Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Allen Spalt

Noes: None

Absent or Excused: Hank Anderson

STREET CLOSING REQUEST/WEAVER STREET MARKET BIRTHDAY CELEBRATION AND **CARRBORO MUSIC FESTIVAL**

Weaver Street Market and the Carrboro Art Committee have submitted a Street Closing Permit Application for he temporary closing of:

100 Block of East Weaver Street from the Main Street intersection to the Greensboro Street intersection from 10:00 a.m. to 1:00 p.m. to accommodate Weaver Street Market's **Birthday Celebration**

100 Block of East Weaver Street from the Main Street intersection to the Greensboro Street intersection from 1:00 p.m. to 10:30 p.m. to accommodate Fete de la Musique

200 block of West Weaver Street from the Greensboro Street intersection to West Main Street intersection from 1:00 p.m. to 10:30 p.m. to accommodate the Fete de la Musique

Neal Mochel, TAB Chair, reiterated the TAB's request that police personnel be present during this function.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING AS NO ONE ELSE WISHED TO SPEAK. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Alex Zaffron.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF PORTIONS OF EAST WEAVER STREET AND WEST WEAVER STREET TO ACCOMMODATE WEAVER STREET MARKET'S BIRTHDAY CELEBRATION AND THE FETE DE LA MUSIQUE (FESTIVAL OF MUSIC)

Resolution No. 50/97-98

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following streets shall be temporarily closed on Sunday, June 21 during the specified times and events:

- 1. 100 block of East Weaver Street from the Main Street intersection to the Greensboro Street intersection from 10:00 a.m. to 1:30 p.m. to accommodate Weaver Street Market's Birthday Celebration
- 100 block of East Weaver Street from the Main Street intersection to the Greensboro Street 2. intersection from 1:30 p.m. to 10:30 p.m. to accommodate the Fete de la Musique
- 3. 200 block of West Weaver Street from the Greensboro Street intersection to West Main Street intersection from 1:00 p.m. to 10:30 p.m. to accommodate the Fete de la Musique
- The Public Works Department shall provide temporary traffic control devices on the day of the closing (cones, barricades and signs) and the Event Sponsor shall be responsible for reimbursing the ssociated labor cost to the Town; estimated cost \$ 300.
- Section 3. The Event Sponsor shall be responsible for reimbursing the Town the actual cost for utilizing off-duty Police Officers to manage traffic control; actual cost will depend upon which officers are assigned on the parade day.
- Section 4. The Public Works Department shall provide a portable dumpster for waste collection and recycling containers for recyclables; Event sponsor shall provide for cardboard recycling.

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- Section 5. The Town will coordinate the placement of portable toilets; the Event Sponsor shall be responsible for reimbursing the Town for the actual cost.
- Section 6. The Event Sponsor shall be responsible for the removal of waste and debris from the closed portions of East and West Weaver Street and the associated right-of-way areas prior to re-opening; streets can not be re-opened until clear of all debris and event structures, i. e. booths.
- Section 7. The Event Sponsor shall be responsible for notifying Central Communications, prior to and on the event day, when the streets are closed and when reopened.
 - Section 8. This resolution shall become effective upon adoption.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted the pth day of June, 1998.

AYES: Alex Zaffron, Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Allen Spalt

NOES: NONE

ABSENT OR EXCUSED: Hank Anderson

BOARD DIRECTS MANAGER TO PREPARE REVISED BUDGET FOR 1998-99

The purpose of this item was for the Mayor and Board of Aldermen to reach consensus on the various proposed changes associated with the Manager's recommended budget for the 1998-99 fiscal year. The Board of Aldermen requested that the Town Manager prepare a final budget based on the following:

EXPENDITURES BEYOND CONTINUATION BUDGET	FUNDS NEEDED	OTHER FUNDS AVAILABLE	YES/ NO
BOARD'S POLICY GOALS		***************************************	·
[NOT INCLUDED IN MANAGER'S RECOMMENDED BUDGET]			
Increase Family Health Insurance to 40%	9,000		Yes
Bolin Creek Study	25,000		Yes
Banning Recycables Study	25,000		No
Police Reserves	10,365		Yes
Increase Salaries of School Crossing Guards	1,548		Yes
Farmers' Market Parking (5,925 farmers' donation)	9,075	5,925	Yes
Downtown Benches and Trash Cans (reduced by 3,500)	3,500		Yes
Remainder to Construct Bandstand	14,000		No
Lease purchase Town Commons Playground (3yrs./28,000) (7,350 Smart Start grant)	0	7,350	N/A
Town Hall Day	250		Yes
Movies at Town Commons	2,200		Yes
Subtotal	60,938		
MANAGER'S RECOMMENDED E	BUDGET		
GOVERNANCE			
Board of Aldermen salary adjustment	1,900		Yes
Orange Community Housing Corporation	4,000		Yes
POLICE			Ì
Patrol – overtime	8,000		Yes
Investigations – overtime	6,250		Yes
Special Services - computer system maintenance	1,500		Yes
FIRE			
Suppression – lease purchase equipment for new tanker	7,500		Yes
Suppression – first responder medical supplies	2,500		Yes
Suppression – furniture and equipment for station	4,000		Yes
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LESS AVAILABLE FUND BALANCE	275,134
LESS ADDITIONAL FUND BLANCE APPROPRI-ATED BY BOARD	30,000
LESS ADDITIONAL FUNDS AVAILABLE FROM TRANSPORTATION FUND	44,417
TOTAL ADDITIONS REQUIRING TAX INCREASE	166,819

Mayor Nelson challenged the Town Manager to limit the tax increase to 2 cents.

BALDWIN PARK RECREATION ACTIVITIES

Discussion of this matter was delayed until the June 23, 1998 meeting of the Board of Aldermen.

CONTINUATION OF PUBLIC HEARING; LAND USE ORDINANCE TEXT AMENDMENT/DRIVE-IN AND DRIVE-THROUGH WINDOWS

The Mayor and Board of Aldermen held the initial public hearing regarding this matter on May 12, 1998; continued the public hearing until June 02, 1998; and continued that public hearing until this meeting. They were to consider adopting an ordinance that revised the permitted zones and permit requirements associated with businesses that include drive-in/through windows.

Greg Shepard addressed the Board voicing concern regarding the performance standards and encouraged the Board to be flexible in the application of the ordinance. Mr. Shepard also suggested that a type B screen should be used along the drive-through lane to the pick-up window.

Neal Mochel, TAB chair, reviewed the recommendation of the TAB regarding this matter.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO LIMIT DRIVE-IN AND DRIVE-THROUGH USES IN COMMERCIAL DISTRICTS", WITH THE FOLLOWING ADDITIONS:

- 1. That subsection 15-176.1(1) be modified to read as follows: "The entrance/exit doors of such uses shall be located in such a manner that a person entering/exiting such businesses is not required immediately to cross a drive-in window exit lane.
- 2. That a subsection 15-176.1(6) be added to read as follows: "A type B screen shall be erected, on the exterior border, from the service window to the entrance of the stacking lane.

VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

CONDITIONAL USE PERMIT MINOR MODIFICATION/THE CEDARS AT BOLIN FOREST

Discussion of this matter was delayed until the June 23, 1998 meeting of the Board of Aldermen.

CONDITIONAL USE PERMIT MINOR MODIFICATION/SUNSET CREEK SUBDIVISION

Discussion of this matter was delayed until the June 23, 1998 meeting of the Board of Aldermen.

CONDITIONAL USE PERMIT MODIFICATION/TOWN HALL TOWER

Andrea Mansour, on behalf of Sprint and AT&T, has applied for a minor modification of the conditional use permit for the existing telecommunication tower at Town Hall. The proposed modification is requesting to add two new antenna arrays to the existing tower, and two new concrete pads and equipment cabinets in the enclosed courtyard between the Fire Station and the Town Hall.



Keith Lankford, Zoning Administrator, made the staff presentation.

Richard Taylor, representing the Appearance Commission, stated that the Appearance Commission suggested that an integrated screening plan be developed for the area.

Mr. Morgan explained that landscaping of the area could take place anytime due to the fact that the property (area) is town-owned. He encouraged the Board to approve the modification per staff recommendation and the issue of screening/landscaping of the area would be addressed appropriately.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE MODIFICATION TO THE CONDITIONAL USE PERMIT FOR THE TELECOMMUNICATIONS TOWER AT TOWN HALL. VOTE: AYES 5 (Zaffron, Caldwell, Nelson McDuffee, Spalt); NOES 1 (Gist); ABSENT/EXCUSED 1 (Anderson).

APPROVAL OF ORANGE REGIONAL LANDFILL TIPPING FEE SCHEDULE FOR 1998-99

The administration recommended adoption of a resolution, which approves the Orange Regional landfill tipping fee schedule for the 1998-99 fiscal year.

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

RESOLUTION APPROVING THE ORANGE REGIONAL LANDFILL TIPPING FEE SCHEDULE FOR 1998-99 FISCAL YEAR Resolution No. 51/97-98

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen hereby approves the following tipping fee schedule for the Orange Regional Landfill and Recycling Program Fees:

Mixed Solid Waste	\$38.00/ton
Construction and Demolition Waste	\$38.00/ton
"Clean" wood/yard waste	\$12.00/ton
"Clean" wood/yard waste delivered by automobile	\$3.00 minimum
"Clean" wood/yard waste delivered by pickup trucks	\$5.00 minimum
"Clean" wood/yard waste delivered by utility trailers	\$5.00 minimum
Tires (not eligible for free disposal)	\$100.00/ton or \$1.00/tire
Trash and garbage delivered by automobile	\$5.00 minimum
Trash and garbage delivered by pickup trucks	\$10.00 minimum
Trash and garbage delivered by utility trailers	\$10.00 minimum
Additional Recycling Bin	\$7.00

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 9th day of June, 1998.

AYES: Alex Zaffron, Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Allen Spalt

NOES: NONE

ABSENT OR EXCUSED: Hank Anderson

DISCUSSION OF ORANGE COUNTY BOARD OF COMMISSIONERS' LETTER/SOLID WASTE

ISSUES

The Mayor and Board of Aldermen discussed a letter from the Chair of the Orange County Board of Commissioners concerning solid waste issues.

Due to the lateness of the hour, full discussion of this matter was delayed until a later date. However, by consensus, the Board suggested that the following statement be issued regarding this matter: "The Board of Aldermen are in the process of reviewing your responses regarding the solid waste issues. Two initial reactions are:

- 1. The Board has concerns that there is no funding allocated for supplying water for the Millhouse Road area, which is in close proximity to an unlined, closed landfill.
- 2. The Board wishes to reiterate its position regarding the disposition of the Greene Tract, which is that the tract not be used for landfill-related purposes.

3.

Additional comments will be forthcoming and therefore the Board asked for the Commissioners' forbearance in arriving at any particular conclusions until we have an opportunity to respond."

AUTHORIZATION TO PROCEED WITH CONSTRUCTION DRAWINGS/TOWN CENTER

The purpose of this item is was authorize the architect to proceed to the construction drawing phase on the Town Center and to amend the construction budget based upon the current construction estimate.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO:

1. Earmark the use of the following funds to meet the new budget figure for the community center:

Master Park Plan	\$ 48,750
Interest from Payment-In Lieu	\$100,000
Interest from Capital Reserve	\$ 76,509
Street Resurfacing Reserves	\$ 48,000
TOTAL	\$273,259

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- 2. Authorize the architect to proceed with the development of construction drawings based upon a construction budget of \$1,649,006.
- 3. Authorize the Design Review Committee to approve the construction drawings and direct the architect to proceed with bidding the project.

Authorize the town manager to ask for alternate bids for both window areas of the facility.

VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED HILLIARD CALDWELL THAT THE MEETING BE ADJOURNED AT 11:50 PM. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

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CARREORO BOARD OF ALDERMEN