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A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 20, 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 HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO APPROVE THE MINUTES OF FEBRUARY 13, 1996. VOTE: AFFIRMATIVE ALL

PROCLAMATION ISSUED

Mayor Nelson read a proclamation proclaiming February as Black History Month in the Town of Carrboro.

REQUEST FOR NAME CHANGE/OLD MILL VILLAGE DEVELOPMENT

Hack Haggerty, on behalf of Appearance Commission, stated that the Appearance Commission had previously recommended that the name of the development Old Mill Village be changed because of the recently designated Neighborhood Preservation District on Maple Street.

It was the consensus of the Board to request that the developer change the name of their development.

REQUEST TO SET PUBLIC HEARING/VOLUNTARY ANNEXATION/WILLIAMS WOODS AT CATES FARM

Jim Brandewie, representing the Williams Woods Group, has submitted a petition requesting the annexation of Williams Woods at Cates Farm into the town limits. This property contains 16.15 acres and is located at 108 Autumn Drive. The administration requested adoption of the a resolution setting a public hearing on this matter for March 5, 1996.

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

A RESOLUTION SETTING A PUBLIC HEARING TO
CONSIDER THE ANNEXATION OF
WILLIAMS WOODS AT CATES FARM
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 27/95-96

WHEREAS, the Town of Carrboro has received a petition from the owner(s) of the Williams Woods at Cates Farm requesting that their property be annexed to 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 March 5, 1996 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 Chapel Hill News 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 20th day of February, 1996:

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

Noes: None

Absent or Excused: None

INTERIM REPORT ON SENIOR CENTERS DEVELOPMENT PLAN IN ORANGE COUNTY

Elizabeth Hutton, Carrboro's representative on the Orange County Senior Center Task Force, presented the Interim Report on the "Orange County Senior Centers Development Plan: 1996 - 2000..

Jerry Passmore, Director of the Orange County Department of Aging, commended the town for its service to senior citizens. Mr. Passmore stated that the report will be scheduled for public hearings throughout Orange County during the month of March, 1996 to receive public input on the report. Mr. Passmore stated that the final report should be completed in May or June, 1996.

FARMER'S MARKET CONTRACT

The Town of Carrboro contracts with the Chapel Hill-Carrboro Farmers' Markets, Inc. to operate the Carrboro Farmers' Market. Mr. Morgan presented a proposed agreement submitted to the town for its consideration. Mr. Morgan stated that the town administration and the Chapel Hill-Carrboro Farmers' Market, Inc. have not reached consensus on the use of the Town Commons on July 4th and October 31st, on the establishment of a mid-week market and the establishment of a schedule of fees for users of the Town Commons that would impact the Farm and Craft Market.

Alex Hitt, President of the Chapel Hill-Carrboro Farmers' Market, stated that the Chapel Hill-Carrboro Farmers' Market was not interested in running a craft market on Sundays. Mr. Hitt stated that he thought the problem with July 4th and establishment of a schedule of fees for users can be worked out.

Doris Murrell, Chair of the Parks and Recreation Commission, stated that the Recreation Commission is concerned that the details for the July 4th and Halloween activities have not been worked out. Ms. Murrell requested that the Parks and Recreation Commission be included in discussions to resolve the conflicts with the operation of the Farmers' Market on July 4th and Halloween.

Alderman Caldwell suggested that the parking lot at McDougle Middle School be used for July 4th for the Farmers' Market.

Alderman Gist requested that a representative from the Parks and Recreation Commission serve on the committee to establishment the guidelines for use of the market.

Eleanor Kinnaird requested that the Board consider allowing the Wednesday farmers' market. Ms. Kinnaird stated that the farmers were promised a mid-week market.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE AGREEMENT WITH THE FOLLOWING CHANGES:

1) The first "Whereas" clause on Page 1 shall be amended to read as follows: "Whereas, the Town has constructed with public and private funds a structure to provide a shelter for the operation of a farm and craft market, as well as for other public uses and events, which shelter is located on Main Street on land owned by the Town for this purpose; and"

2) Section 6 is amended to read as follows: "The parties agree that except for those times that the farm and craft market is operated by the Attendant as per this agreement, the Town may use the site for other activities. The Attendant will attempt to accommodate the Town's needs on market days when the Town has

other events scheduled, other than July 4th and October 31st, upon which no agreement has been reached, and subject to Sections 10 and 11 below.”

3) Section 10 is amended to read as follows: “A committee, consisting of an equal number of representatives from the Town (including a representative of the Parks and Recreation Commission) and the Attendant, will establish guidelines for use of the Town Commons by the Farm and Craft Market for approval by the Board of Aldermen. These guidelines will be for the protection of the building and grounds to extend their useful lives and to reduce maintenance and operational costs for the Town Commons. These guidelines will then be Attachment B to this agreement.”

4) Section 11 is amended to read as follows: “Both parties acknowledge that agreement has not been reached on use of the Town Commons on July 4th and October 31st, on the establishment of a mid-week market, and the establishment of a schedule of fees for users of the Town Commons that would impact the Farm and Craft Market. A recommendation for resolution of these items shall be presented to the Board of Aldermen for approval.”

AFFIRMATIVE ALL

Alderman Bryan requested that the Town Manager prepare a timetable for presentation to the Board on 2/27/96 as to when agreement on the remaining unresolved issues will be reached.

PARKING FOR FARMERS' MARKET

The Carrboro Farmers' Market is expected to need additional parking during their peak hours on Saturday mornings. Parking on adjacent streets needs to be managed to minimize the impact on surrounding streets. The administration recommended that the Board adopt an ordinance designating no parking at any time along Fidelity Street except during certain hours and prohibiting parking along Bim Street and Laurel Avenue.

Alderman Gist requested that the town staff look at the impact on Elm and Ashe Streets during the hours of the Farmers' Market.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, “ AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE”. VOTE: AFFIRMATIVE ALL

TOWN CODE AMENDMENT/NO PARKING/CATES FARM ROAD AND PATHWAY DRIVE

The administration recommended that the Board of Aldermen adopt an ordinance designating no parking from 7:00 a.m. to 6:30 p.m. on weekdays on Pathway Drive and Cates Farm Road.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JAY BRYAN TO SCHEDULE A PUBLIC HEARING ON THE TAB'S RECOMMENDATION. VOTE: AFFIRMATIVE ALL

TOWN CODE AMENDMENT/NO PARKING/PUBLIC WORKS DRIVE

The administration requested that the Board of Aldermen adopt an ordinance designating no parking at any time on both sides of Public Works Drive.

It was the consensus of the Board to request that the town staff contact the business owner of the old Dot 'N Dash to determine their parking needs.

BOARD DECIDES POLICY GOALS AND FINANCIAL GOALS FOR 1996-97

Larry Gibson, the town's Assistant Town Manager, stated that the purpose of this item was to present the administration's cost estimates for policy goals identified by the Board on February 6th, and to have the Board establish financial and policy goals for the new year.

The administration recommended the following financial goals for the strategy budget:

(1) Establish a budget for the 1996-97 year which relies upon revenues generated by a five-cent tax increase and additional non-ad valorem revenues equal to the proceeds of one cent on the tax rate (approx. \$50,000).

(2) Continue to maintain an unreserved fund balance equal to at least 25 percent of budgeted expenditures.

(3) Format the Manager's recommended budget for the 1996-97 year as follows:

- delineate the continuation budget in a separate column; define the continuation budget to include funding for those items necessary to continue existing services, all current positions, continuation of the 2.5 percent merit increase, and those vehicles and equipment scheduled by the five year CIP, and any new capital items costing less than \$2500;
- delineate proposed changes (additions and/or reductions) in a separate column; define proposed changes to include new positions, equipment and other capital items totaling \$2500 or more which are not covered by the five year CIP, across-the-board adjustments or changes in benefits, and new programs or adjustments in town service levels; and
- present decision-packages for all proposed changes in an appendix to the budget document.

The Board directed the town staff to prepare a budget for 1996-97 based on no tax increase, that the town continue to maintain an unreserved fund balance equal to at least 25% of budgeted expenditures, that the continuation budget be delineated in a separate column, that the town staff identify the Board's policy goals that were included in the 1995-96 budget plus new and replacement items covered by the 5-Year CIP, and that the Board's policy goals for 1996-97 be included in the proposed budget. The Board requested that the town staff prepare an example of how this information will be provided.

APPOINTMENTS TO BOARDS

Due to expiration of terms, the following re-appointments were recommended:

Board of Adjustment -Richard Ellington
 Planning Board - Dan Leonard, Susan Rodemeir, M.C. Russell, James Bateson
 Appearance Commission/NPDC - Jack Haggerty, Wendy Wenck
 Parks & Recreation Commission - James Kempe
 Cable T.V. Committee - Steve Small, Rick Houle
 Human Services Commission - Christine Taylor
 Cemetery Commission - Herman Wilson, Shelton Sparrow
 Downtown Development Commission - Marianne Fiorentino, James Morgan

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY HANK ANDERSON TO RE-APPOINTMENT THESE INDIVIDUALS. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Hank Anderson.

A RESOLUTION REQUESTING AN APPOINTMENT TO A
 TRANSITION AREA SEAT ON THE CARRBORO PLANNING BOARD
 Resolution No. 28/95-96

WHEREAS, as a result of a term expiration, it is necessary to appoint a person to a seat reserved on the Carrboro Planning Board for persons residing within the town's Transition Area; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint Transition Area members to the town's Planning Board.

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

Section 1. The Orange County Board of Commissioners is respectfully requested to re-appoint the following individual to a Transition Area seat on the Carrboro Planning Board whose term would expire in February, 1999:

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Carrboro Board of Aldermen may make this appointment.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

Section 4. 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 20th day of February, 1996:

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

Noes: None

Absent or Excused: None

REPORT FROM SUBCOMMITTEE ON ESTABLISHMENT OF AN ENVIRONMENTAL ADVISORY BOARD

Alderman Gist stated that the Subcommittee on the Establishment of an Environmental Advisory Board (Mayor Nelson, Alderman Gist, Shirley Marshall, Susan Rodemier and Allen Spalt) has met and requested that the ordinance creating an environmental advisory board be adopted with changes.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO CREATE AN ENVIRONMENTAL ADVISORY BOARD, AMENDED AS FOLLOWS: Section 15-45.2(a)(2) is amended to read as follows: "Suggest to developers ways to utilize energy efficient designed techniques such as day-lighting, siting, solar exterior lights, and other solar energy techniques as they become economically viable. This input from the EAB is to come at the request of the Board of Aldermen or as part of a concept review procedure."

VOTE: AFFIRMATIVE ALL

PRESENTATION OF TOWN OF BELMONT'S DEVELOPMENT PLAN

Mr. Morgan informed the Board that the town staff had contacted the Town of Belmont concerning a presentation of their development plan and was informed that they charge a fee of \$300.00 for the presentation.

The Board expressed its desire to receive a presentation for a total cost of \$300.00 with the request that the Town of Chapel Hill be invited to attend the presentation and be requested to share in the cost of the presentation.

POSTAL SURVEY

Mr. Morgan requested that the Board offer any suggestions for changes to the postal survey and be prepared to offer the town staff on what areas the survey should be sent at the Board meeting on February 27th.

AFFORDABLE HOUSING FOR SENIORS PROPOSAL

Alderman Zaffron requested that the Board consider the request by First Centrum Corp. to expedite the conditional use approval process for affordable senior housing proposed for the Moore property located at the intersection of West Poplar Avenue and Highway 54.

The Board requested that the Planning Director, Mike Brough and Donna Dyer be requested to review the proposal for senior citizen housing and present a report to the Board on 2/27/96 concerning this matter.

SPEEDING ON PINE STREET

Mayor Nelson stated that residents of Pine Street had complained about speeding and requested that the Police Chief increase radar usage of this street.

REQUEST FOR REPORT ON POLICE SUBSTATION

Alderman Bryan requested a status report on the progress of locating a police substation at Lloyd/Broad Street.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION TO DISCUSS LITIGATION AT 11:05 P.M. VOTE: AFFIRMATIVE ALL

Michael R. Nelson
Mayor

Town Clerk