A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 25, 1997 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	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

Absent:

Alderman

Hank Anderson

REQUEST FOR BICYCLE HELMET LAW

Brian Castrucci, with Orange County Safe Kids Coalition, petitioned the town to consider a bike safety helmet law. Mr. Castrucci stated that one of the barriers to a bike helmet law is the economic impact that families will incur as a result of the law. There are a number of discount programs available and there will be a bike rodeo on May 18, 1997 that will teach safe riding skills as well as provide a free bicycle helmet to those children who are in need.

It was the consensus of the Board to refer this request to the town staff and Transportation Advisory Board for review and recommendation.

Alderman Gist requested that the town staff also consider a recommendation for in-line skates.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE MARCH 18, 1997 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/UCC LIVING CENTERS

Arthur Cogswell, on behalf of UCC Living Centers, Inc., has applied for a conditional use permit to divide a 9.643-acre site located at the northeastern corner of Culbreth and Smith Level Roads into three lots and to construct two separate buildings which will constitute a senior citizens residential complex. The administration requested that a public hearing be scheduled for April 8, 1997 to consider this request.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO SET A PUBLIC HEARING FOR APRIL 8, 1997. VOTE: AFFIRMATIVE ALL

The Board requested that the town staff send notices of the public hearing to the Berryhill Homeowners Association and to those citizens who spoke at the University Commons conditional use permit hearing.

REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/THE CEDARS

Frances Kovens, on behalf of BBK & Associates, has submitted a request for a conditional use permit application to allow the development of a 49-unit subdivision on 20.23 acres of land located adjacent to the intersection of North Greensboro Street and Bolin Forest Drive. The administration requested that a public hearing be scheduled for April 15, 1997 to consider this request.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO SET A PUBLIC HEARING FOR APRIL 15, 1997. VOTE: AFFIRMATIVE ALL

The Board requested that notices of the public hearing be sent to the citizens who spoke at the public hearing on the rezoning of this property and the homeowners associations in Bolin Forest and Quarterpath Trace.

APPOINTMENT TO ENVIRONMENTAL ADVISORY BOARD

The Chair of the Environmental Advisory Board (EAB) recommended that Giles Blunden be appointed to fill the vacant seat on the EAB.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO APPOINT GILES BLUNDEN TO THE ENVIRONMENTAL ADVISORY BOARD. VOTE: AFFIRMATIVE ALL

DISCUSSION OF TRANSIT MEMORANDUM OF UNDERSTANDING

Dr. Elson Floyd, UNC Executive Vice-Chancellor, met with the Mayor and Board of Aldermen to discuss the proposed transit memorandum of understanding.

Dr. Floyd stated that the proposed memorandum of understanding is based on cost sharing.

Mayor Nelson stated his concern is that this issue is tied in with other town and gown issues, i.e., jets at the airport, shipping of ash by the University, Smith Center road, etc.

Dr. Floyd stated that a lot of UNC issues have been delayed and are now coming to a conclusion.

Alderman McDuffee stated that she thought the previous memorandum of understanding had problems, but feels the proposed formula does not fairly attribute the benefits from the bus system. Alderman McDuffee expressed hope that UNC's task force to discuss long-range parking will consider use of the transit system. Alderman McDuffee suggested that the formula be adjusted by multiplying the University's population by a fraction increase in the amount the University contributed to the net operating cost of the bus system.

Alderman Zaffron stated that one of the Town Manager's recommendations was not to phase in the additional costs, but to deduct almost 2% of the share that Carrboro will pay under the proposed agreement, shift 1.8% to UNC and add .1% to Chapel Hill's share.

Dr. Floyd stated that the University is only a part of the memorandum of understanding. Chapel Hill has already approved the MOU. If Carrboro wishes to make changes to the MOU, the group could get back together to discuss those changes. Dr. Floyd stated that the University has not talked with Chapel Hill. In the meantime, the current MOU could be extended for an additional year.

Mr. Morgan stated that preliminary figures appear to be significantly better and he would recommend that these cost figures be looked at again after they are finalized and that the Board give him direction on what options to explore with the other parties to the MOU.

It was the consensus of the Board to request that negotiations with the other parties to the MOU continue when ridership figures and 1997-98 financial information are available, and that Aldermen McDuffee and Zaffron be included in the negotiations.

WORKSESSION AND REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT INCREASING DISTANCE OF HEARING NOTIFICATION

The purpose of this item was to provide information requested by the Mayor and Board of Aldermen so they may consider increasing the distance for written notification given to property owners from 200 feet to 1,000 feet for public hearings on applications for conditional use permit and map amendments.

Lisa Bloom-Pruitt, the town's Senior Planner, explained the current requirements for advertisement

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO SET A PUBLIC HEARING FOR APRIL 15, 1997 ON A LAND USE ORDINANCE TEXT AMENDMENT THAT WOULD AMEND THE PUBLIC HEARING PROCEDURES BY REQUESTING THAT PUBLIC HEARINGS BE SET NO LATER THAN THREE WEEKS BEFORE THE HEARING AND INCREASING THE MINIMUM 10-DAY WRITTEN NOTICE GIVEN BY MAIL, AND THAT TWO OPTIONS BE CONSIDERED--A 500-FOOT NOTIFICATION AREA AND A 1,000-FOOT NOTIFICATION AREA, AND THAT THE COSTS TO THE TOWN BE INCLUDED WITH EACH OPTION. VOTE: AFFIRMATIVE ALL

WORKSESSION AND REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/ ARTISTS/CRAFTSPERSONS AND PRODUCTION LIMITED TO 3,500 S.F.

The purpose of this item was for the Mayor and Board of Aldermen to review possible revisions to the land use ordinance text language requested after a March 4th worksession regarding the possible sub-classification of permissible uses associated with the 4.100 classification.

Lisa Bloom-Pruitt, the town's Senior Planner, explained the proposed alternative text amendments.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JAY BRYAN TO SET A PUBLIC HEARING FOR APRIL 15, 1997 ON ALTERNATIVE #4 (AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ADD A DEFINITION OF RETAIL SALES TO BASIC DEFINITIONS AND INTERPRETATIONS", THAT THE AMENDMENT BE CONFINED TO THE B-1(C) ZONE, AND THAT THE PROPOSED AMENDMENT BE REFERRED TO THE PLANNING BOARD, DOWNTOWN DEVELOPMENT COMMISSION AND APPEARANCE COMMISSION FOR REVIEW. VOTE: AFFIRMATIVE ALL

REPORT ON SOUTH GREENSBORO STREET SIDEWALKS

The purpose of this item was to present a report to the Mayor and Board of Aldermen on proposals that have been created to address pedestrian needs within the South Greensboro Street corridor.

Kenneth Withrow, the town's Transportation Planner, presented proposals prepared by students in the N.C. State University's Civil Engineering Department in 1995 regarding improvements to the South Greensboro Street corridor.

Mayor Nelson asked that the town staff and TAB consider ways to mark Old Pittsboro Road to indicate that it is a bikepath and do the same for Rand Road once it is opened.

Alderman Bryan suggested that the town look at alternatives to a four-foot wide sidewalk along South Greensboro Street--maybe a walking path and a traffic barrier along the west side only.

It was the consensus of the Board to request the town staff to prepare a concept plan to construct a walkway with a traffic barrier along the west side of South Greensboro Street, that the staff contact the residents of South Greensboro Street to determine their interest in such improvements, and that the TAB consider this proposal.

BIKEPATH CONSTRUCTION STATUS

The purpose of this item was to give the Mayor and Board of Aldermen a construction status report on the Estes/Elm Street and PTA Bikepath projects, and to request that the Board give the staff direction on how to proceed.

Mr. Morgan stated that the town had advertised twice for bids to construct the Estes/Elm Street and PTA Bikepaths. The bids received were in excess of the amount allocated in the municipal agreement between the town and N.C. DOT. Mr. Morgan recommended that the Board authorize the staff to proceed with value engineering and the bid process to determine actual construction costs and authorize the town staff to renegotiate the municipal agreement with N.C. DOT.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO AUTHORIZE THE STAFF TO PROCEED WITH VALUE ENGINEERING AND THE BID PROCESS TO DETERMINE ACTUAL CONSTRUCTION COSTS AND TO AUTHORIZE THE TOWN STAFF TO RENEGOTIATE THE MUNICIPAL AGREEMENT WITH N.C. DOT. VOTE: AFFIRMATIVE

It was the consensus of the Board to authorize the Mayor to send a letter to TAC relaying the town's problems in constructing these bikepaths and requesting assistance in funding the project.

APPOINTMENT TO BUDGET REVIEW COMMITTEE

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY ALEX ZAFFRON TO APPOINT STUART BROWN TO THIS YEAR'S BUDGET REVIEW COMMITTEE. VOTE: AFFIRMATIVE ALL

LETTER TO CHANCELLOR HOOKER/JETS AT HORACE WILLIAMS AIRPORT

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JAY BRYAN TO AUTHORIZE MAYOR NELSON TO FORWARD A LETTER TO CHANCELLOR HOOKER REQUESTING A RE-EVALUATION OF THE DECISION TO ALLOW JETS TO LAND AND TAKE OFF AT HORACE WILLIAMS AIRPORT. VOTE: AFFIRMATIVE ALL

CALVANDER INTERSECTION IMPROVEMENTS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO REDUCE THE PROPOSED TAPER LANES AT THE CALVANDER INTERSECTION TO 575 FEET AND TO REDUCE THE SHOULDER WIDTH TO FOUR FEET. VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (BRYAN, GIST, CALDWELL)

It was the consensus of the Board to take a second vote on this matter at the April 8th Board meeting.

Alderman Bryan requested that the town staff contact N.C. DOT to obtain a copy of the standards for similar intersection improvements, and requested a copy of the town engineer's report on this matter.

SUPPORT FOR MENU OF LOCAL REVENUE OPTIONS LEGISLATION

It was the consensus of the Board to authorize Mayor Nelson to request that the legislative delegation support the Menu of Local Revenue Options legislation and request that it be extended to include cities and towns.

NATIONAL LEAGUE OF CITIES PUBLICATION ENTITLED, "CITING CELLULAR TOWERS"

Alderman Gist requested that the town staff forward a copy of this publication to Congressman David Price.

REQUEST FOR A WORKSESSION ON REVIEWING SITE PLANS

Alderman Bryan requested that the Agenda Planning Committee schedule a second worksession with Jonathan Butters to review the site plans for an upcoming project.

SUPPORT OF LOCAL OPTION HOMESTEAD RELIEF LEGISLATION

It was the consensus of the Board to request that the Mayor forward a letter to the legislative delegation supporting the local option homestead relief legislation.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADJOURN TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE AT 9:35 P.M. VOTE: AFFIRMATIVE ALL

Jul R. Ne

Town Clerk