A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 6, 1997 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor Aldermen Michael Nelson 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

REQUEST FOR LAND USE ORDINANCE TEXT AMENDMENTS TO ALLOW ELEMENTARY AND SECONDARY SCHOOLS IN THE R-7.5 AND B-1(C) ZONING DISTRICTS

Peter Morcombe stated that they have found a building in a residential zone for the charter school. Mr. Morcombe presented a proposed land use ordinance amendment which would allow the school in the R-7.5 zoning district.

Roy Williford, the town's Planning Director, stated that the options are to process the conditional use permit on a fast track or to amend the ordinance to allow elementary and secondary schools in the R-7.5 zoning district with a zoning permit.

Fred Good asked for a text amendment to allow a charter school on Main Street in the B-1(c) zone.

Roy Williford stated that this request could be considered along the same lines as the request by Mr. Morcombe.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JAY BRYAN TO SET A PUBLIC HEARING FOR JUNE 3, 1997 ON THE PROPOSED LAND USE ORDINANCE TEXT AMENDMENTS. VOTE: AFFIRMATIVE ALL

UCC LIVING CENTERS PROJECT

Henry Lister, with UCC Living Centers, stated that they had been informed by the town staff that they owe the town \$7,400+ in construction plan review fees that they had not anticipated. Mr. Lister stated that they had not requested enough funds from HUD to cover these fees and that they may need to request a fee waiver of some land use fees.

COBBLESTONE DRAINAGE PROBLEMS

David Norris, a resident of Cobblestone Subdivision, expressed concern about stormwater problems that currently exist in the Cobblestone Subdivision and requested the town be responsive in solving these problems.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO ADOPT THE APRIL 22, 1997 MINUTES. VOTE: AFFIRMATIVE ALL

PROCLAMATION ISSUED

Mayor Nelson read a proclamation proclaiming May 4-11, 1997 as Disability Awareness Week in the Town of Carrboro.

CHARGE ISSUED

The Town Clerk issued a charge to Marianne Nicholson, a recent appointee to the Parks and Recreation Commission.

PUBLIC HEARING/STREET CLOSING REQUEST/ART ON WEAVER FESTIVAL

Weaver Street Market and Public Gallery of Carrboro, Inc. have submitted a street closing permit application for the temporary closing of East Weaver Street from North Greensboro Street to East Main Street from 10:00 a.m. to 6:00 p.m. on Saturday, June 21, 1997 (rain date of Saturday, June 28, 1997) to accommodate the Art on Weaver Festival.

Chris Peterson, the town's Public Works Director, stated that the businesses in Carr Mill had expressed concern about Weaver Street being closed on a Saturday. Mr. Peterson stated that the applicant had revised his request to close Weaver Street on June 21st from 12:30 p.m. to 6:00 p.m.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Diana McDuffee.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF WEAVER STREET TO ACCOMMODATE THE ART ON WEAVER FESTIVAL Resolution No. 48/96-97

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

- Section 1. The following streets shall be temporarily closed on Saturday, June 21, 1997 (rain date: Saturday, June 28) from 12:30 a.m. to 6:00 p.m. to accommodate the Art on Weaver Festival.
- Section 2. The Event Sponsor shall have volunteers at the Weaver Street and North Greensboro entrances to Carr Mill Mall to ensure event participants do not park in the Carr Mill parking lot.
- Section 3. The Public Works Department shall provide any temporary traffic control devices deemed necessary by the Police Department on the day of the closing.
- Section 4. The Event Sponsor, Weaver Street Market and Public Gallery of Carrboro, Inc., shall be responsible for notifying Central Communications, prior to and on the event day, when the streets are closed and when reopened.
- Section 5. The Event Sponsor shall be responsible for reimbursing the Town the actual cost for utilizing 4 off-duty Police Officers to manage traffic and crowd control; average overtime cost being \$ 25.03 per hour for eight hours; actual cost will depend upon which officers are assigned on the event day.
 - Section 6. 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 6h day of May, 1997:

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

Noes: None

Absent or Excused: None

PUBLIC HEARING/ STREET CLOSING REQUEST/CARRBORO-CARDINAL TRACK CLUB 8K

The Carrboro/Cardinal Track Club 8K has submitted a street closing permit application for the temporary closing of Roberson Street from the rear parking area of Fleet Feet Sports to the South Greensboro Street intersection; South Greensboro Street to the Main Street/North Greensboro Street intersection; North Greensboro Street to the Hillsborough Road intersection; Hillsborough Road to James Street; James Street to Rainbow Drive; Rainbow Drive to Lisa Drive; Lisa Drive to Carol Street; Carol Street to James Street; James Street to Lorraine Street; Lorraine Street to Phipps Street; Phipps Street to Simpson Street; Simpson Street to Main Street; Main Street to Poplar Street; Poplar Street to North Greensboro Street; and, North Greensboro Street to Roberson Street on Thursday, November 27, 1997 from 8:00 a.m. to 9:00 a.m. to accommodate an 8K road race.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

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

THE CARRBORO/CARDINAL TRACK CLUB 8K RACE Resolution No. 49/96-97

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following streets shall be temporarily closed on Thursday, November 27, 1997 from 8:00 m. to 9:00 a.m. to accommodate the Carrboro/Cardinal Track Club 8k Race:

- a) Roberson Street from the rear parking area of Fleet Feet Sports to the South Greensboro Street intersection
- b) South Greensboro Street to the Main Street/North Greensboro Street intersection
- c) North Greensboro Street to the Hillsborough Road intersection
- d) Hillsborough Road to James Street
- e) James Street to Rainbow Drive
- f) Rainbow Drive to Lisa Drive
- g) Lisa Drive to Carol Street
- h) Carol Street to James Street
- i) James Street to Lorraine Street
- j) Lorraine Street to Phipps Street
- k) Phipps Street to Simpson Street
- 1) Simpson Street to Main Street
- m) Main Street to Poplar Street
- n) Poplar Street to North Greensboro Street
- o) North Greensboro Street to Roberson Street
- Section 2. The Public Works Department shall provide any temporary traffic control devices deemed eccessary by the Police Department on the day of the closing.
- Section 3. The Event Sponsor, Cardinal Track Club, shall be responsible for notifying Central Communications, prior to and on the event day, when the streets are closed and when reopened.
- Section 4. The Event Sponsor shall be responsible for reimbursing the Town the actual cost for utilizing 4 off-duty Police Officers to manage traffic control; average overtime cost being \$ 21.33 per hour with a two hour minimum; actual cost will depend upon which officers are assigned on the event day.
 - Section 5. 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 6th day of May, 1997:

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

Noes: None

Absent or Excused: None

PUBLIC HEARING/STREET CLOSING REQUEST/1997 APS POOCH PARADE

The Animal Protection Society of Orange County has submitted a street closing permit application for the temporary closing of East Main Street from the Roberson Street intersection to the West Main Street intersection, West Main Street from the East Main Street intersection to Town Hall Drive from 2:00 p.m. to 2:45 p.m. on Saturday, October 25, 1997 for the 1997 APS Pooch Parade.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Diana McDuffee.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF PORTIONS OF EAST MAIN STREET AND WEST MAIN STREET TO ACCOMMODATE THE 1997 APS POOCH PARADE Resolution No. 50/96-97

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following streets shall be temporarily closed on Saturday, October 25, 1997 from 2:00 p.m. to 2:45 p.m. to accommodate the 1997 APS Pooch Parade:

- a) East Main Street from the Roberson Street intersection to the West Main Street intersection
- b) West Main Street from the East Main Street intersection to Town Hall Drive
- Section 2. The Public Works Department shall provide temporary traffic control devices on the day of the closing (cones).
- Section 3. The Event Sponsor, APS, shall be responsible for notifying Central Communications, prior to and on the event day, when the streets are closed and when reopened.
 - Section 4. The Event Sponsor shall be responsible for the cleaning of animal waste from the roadway.
- Section 5. The Event Sponsor shall be responsible for reimbursing the Town the actual cost for utilizing 4 off-duty Police Officers to manage traffic control; average overtime cost being \$ 21.33 per hour with a two hour minimum; actual cost will depend upon which officers are assigned on the parade day.
 - Section 6. 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 6th day of May, 1997:

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

Noes: None

Absent or Excused: None

REQUEST TO SET PUBLIC HEARING AND SITE PLAN REVIEW WORKSESSION/CONDITIONAL USE PERMIT REQUEST/KENT WOODLANDS SUBDIVISION

The Board was requested to set a public hearing for May 20, 1997 to review an application for a conditional use permit which would allow for development of a 26-unit subdivision for single-family residences at the southeastern corner of Smith Level Road and Culbreth Road.

Mr. Jonathan Butters reviewed the site plans for this project with the Board.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO SET A PUBLIC HEARING FOR MAY 20, 1997. VOTE: AFFIRMATIVE ALL

<u>UPDATE ON CONSOLIDATED HOUSING PLAN/1997 HOME PROGRAM DESIGN</u>

James Harris, the town's Assistant to the Town Manager, stated that Orange County Home Consortium had received \$379,000 in federal Home Program fund for fiscal year 1997-98. Mr. Harris reviewed the activities proposed for the 1997-98 program.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jay Bryan.

A RESOLUTION APPROVING THE 1997-98 HOME PROGRAM DESIGN Resolution No. 54/96-97

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Town of Carrboro, as a member of the Orange County Home Consortium, approves the following activities for the 1997-98 Home Program:

Site Improvements

\$60,000 would be allocated to Orange County Habitat for Humanity for site improvements for one lot in Culbreth Park and five lots in the Efland community to be developed for low-income home buyers.

Emergency Housing Repair Program

\$50,000 would be available for small emergency repair projects (i.e., leaking roofs) for housing occupied by low-income elderly families or individuals.

Neighborhood Revitalization Home Ownership Revolving Loan Fund

\$60,000 would be used to capitalize a Neighborhood Revitalization Loan Fund to purchase and rehabilitate housing in the Chapel Hill-Carrboro area for resell to very low to low-income families.

Acquisition

\$40,000 would be used to assist the Orange-Person-Chatham Mental Health Association with the purchase and necessary renovation of dwellings for rental occupancy by the severely and persistently mentally ill Orange County residents.

Housing Rehabilitation

\$131,000 would provide deferred loans to rehabilitate low-income, owner-occupied and rental housing units. Homeowners with less than 60% of the area median income would be eligible for these loans.

Program Administration - \$37,900

Total Program Funds - \$379,000

Section 2. The Town Manager is designated as the authorized representative of the Town of Carrboro to act in connection with the submission of this revision and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

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 4th day of February, 1997:

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

Noes: None

Absent or Excused: None

MODIFICATIONS TO RESIDENTIAL TRAFFIC MANAGEMENT PLAN

The Board of Aldermen adopted the town's Residential Traffic Management Plan on June 11, 1996. The purpose of this item was to amend the current plan in order to provide clarity to the document's contents.

Neal Mochel, Chair of the Transportation Advisory Board, stated that the TAB supported the revised plan.

Mr. Morgan stated that the town staff is working on a recommendation for a cost sharing formula for traffic calming devices.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY TO ADOPT THE REVISED RESIDENTIAL TRAFFIC MANAGEMENT PLAN WITH THE FOLLOWING REVISIONS:

- a. That all references to camera surveillance be removed;
- b. That "Lower Street Design" be amended to read "Narrow Street Design;"
- c. That "Parking Controls" be amended to read "On-Street Parking is a way of controlling parking and may be effective because it forces motorists to slow down and divert to other routes."
- d. That the definition of "Traffic Circles" be amended to read: "Traffic Circles result from islands being placed in the middle of intersections which force the flow of traffic to form a circular pattern which a motorist would follow until exiting onto his/her desired street."

VOTE: AFFIRMATIVE ALL

REPORT ON STORMWATER MANAGEMENT

Roy Williford, the town's Planning Director, stated the Towns of Chapel Hill and Carrboro, the University of North Carolina, and Orange County have expressed an interest in obtaining a floodplain management study of the Bolin Creek Basin, the Morgan Creek Basin, and the Booker Creek Basin. The purpose of this item was to provide the Board with a copy of the revised scope of services and a copy of the funding agreement with the Town of Chapel Hill. Mr. Mike Neal, with the Chapel Hill Engineering Department, was in attendance to provide additional information. Mr. Williford stated that the town's share of the cost should be \$6,250 for two years beginning with the current fiscal year.

Mike Neal stated that the Army Corps of Engineers will develop a stormwater management plan for the Morgan Creek Watershed, the Bolin Creek-Little Creek Watershed and the headwaters of B. Everett Jordan Reservoir. Mr. Neal stated that the study will begin at the end of May, 1997 and will be completed in two years.

Mr. Williford stated that the model will be used on the GIS system to visualize stormwater run-off.

Henry Wells, the town's engineer, stated all flood insurance studies he had dealt with asked for 500-year flood events.

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JACQUELYN GIST TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO THE AGREEMENT WITH THE TOWN OF CHAPEL HILL TO UNDERTAKE A JOINT STUDY WITH THE U.S. ARMY CORPS OF ENGINEERS AND AUTHORIZE THE TOWN STAFF TO PREPARE A BUDGET AMENDMENT APPROPRIATING \$6,250 FOR THE TOWN'S SHARE OF THE COSTS. IN ADDITION, THAT THE SCOPE OF SERVICES BE AMENDED TO INCLUDE A PROFILE FOR THE 500-YEAR FLOOD EVENT. VOTE: AFFIRMATIVE ALL

<u>DISCUSSION OF PUBLIC PROCESS TO DISCUSS PURCHASE OF CARRBORO BAPTIST CHURCH PROPERTY</u>

The purpose of this item was to identify the public process in the decision of whether to purchase the Carrboro Baptist Church.

Mr. Morgan recommended a time line of activities that will be needed to consider the purchase of the Carrboro Baptist Church property:

Mr. Morgan stated that he had received updated estimates for renovation costs for the church from the architect which brings the total cost to \$1,152,836

Mayor Nelson asked that scheduled tours be held, maybe one per hour.

The Board requested that forms available at the tours for public comments.

Alderman Zaffron stated that the brochure should include a description of how the space at the church will be used.

The Board requested an opportunity to review the text of the brochure on May 13th.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST TO APPROVE THE FOLLOWING TIME LINE:

ACTIVITIES	DATE
Establish the public process	Tuesday, May 6th
Set the public hearing date	Tuesday, May 13th
Adopt a resolution authorizing the Assistant Town Manager to solicit financing proposals	Tuesday, May 13th
Publication of notice of public hearing and open house	Sunday, May 18th and Sunday, May 25th
Mayor and Board of Aldermen approve information brochure	Tuesday, May 20th
Mail information brochure to all single family and multi-family property owners by first class mail	Friday, May 30th
Publication of legal advertisement for public hearing	Friday, May 30th
Receive proposals from financial institutions	Friday, May 30th
Church and Town Hall Open House	Saturday, June 7th - 1-4 p.m.
Public hearing on whether to purchase the Church property and how to finance the purchase.	Monday, June 9th
Board makes its decision on purchasing church property	Tuesday, June 17th
Board selects financial institution for financing purchase	Tuesday, June 17th
Board adopts resolution to submit application to the Local Government Commission	Tuesday, June 17th
Application submitted to Local Government Commission	Thursday, July 3rd
Local Government Commission considers/ approves application	Tuesday, August 5th
Tentative closing date	Friday, August 8th

VOTE: AFFIRMATIVE ALL

Mike Brough stated that the land use ordinance will need to be amended to allow police stations in the B-1(c) zoning district.

MOTION WAS MADE BY AND SECONDED BY TO SET A PUBLIC HEARING FOR JUNE 3, 1997 ON A TEXT AMENDMENT WHICH WOULD ALLOW POLICE STATIONS IN THE B-1(C) ZONING DISTRICT WITH A ZONING PERMIT. VOTE: AFFIRMATIVE ALL

DISCUSSION OF PROCESS FOR APPOINTMENT TO BOARD OF ALDERMEN

The Mayor and Board of Aldermen discussed the process for filling the upcoming vacancy on the Board of Aldermen as a result of Jay Bryan's resignation, which will become effective on June 6, 1997.

The Board authorized Mayor Nelson to contact Frances Shetley to she if she would be willing to fill Alderman Bryan's seat on the Board until the 1997 election.

BUDGET ALLOCATION FOR HUMAN SERVICES COMMISSION BUDGET FOR FY-97-98.

Alderman McDuffee questioned the 1997-98 allocation for the human services budget.

Mr. Morgan stated that he had included the same allocation as was in the 1996-97 budget in his proposed budget for 1997-98.

It was the consensus of the Board that the budget allocation for the Human Services Commission budget for FY'97-98 should be the equivalent of one cent on the tax rate.

REQUEST FOR WORKSESSION WITH PLANNING BOARD

Alderman McDuffee stated that the Planning Board at its meeting on May 1, 1997 had asked for the Board's consideration of a conceptual review plan process where the Planning Board and other advisory board comments could be taken into account earlier in the review process. In addition, the Planning Board expressed concern about recreation points and open space. Alderman McDuffee suggested a worksession with the Planning Board to discuss these matters.

Mayor Nelson suggested that the worksession include discussion of communication between the Board of Aldermen and Planning Board.

Alderman Zaffron suggested that the Downtown Development Commission submit comments on the conceptual review plan for the worksession with the Planning Board.

It was the consensus of the Board to request that the Agenda Planning Committee schedule a worksession with the Planning Board to discuss the Planning Board's concerns about recreation requirements and plan review process.

TRANSIT MEMORANDUM OF UNDERSTANDING

Alderman McDuffee stated and she and Alderman Zaffron and members of the town staff had met to discuss the proposed transit memorandum of understanding and that it was the consensus of the group that the University's population has been under-counted in the proposed MOU. Alderman McDuffee stated that the group was recommending that as a compromise that Carrboro's share of the operating costs for the transit system will remain at 12.5% for the next five years if the University will agree to take the additional 1.8% of operating costs which was going to be attributed to Carrboro in the population figures.

It was the consensus of the Board to authorize the Mayor to send a letter to the University and the Town of Chapel Hill agreeing that Carrboro's share of the operating costs for the transit system will remain at 12.5% for the next five years if the University will agree to take the additional 1.8% of operating costs which was going to be attributed to Carrboro in the population figures.

DISCUSSION OF MOVING TRANSITION LINE WHICH DIVIDES ROGERS ROAD

Mayor Nelson stated that at the first Small Area Plan facilitated meeting, there was concern raised about the transition area line which divides the Rogers Road neighborhood.

Alderman Bryan suggested that the Board's discussion of this matter follow the second Small Area Plan facilitated meeting on May 31, 1997.

It was the consensus of the Board to request that the Agenda Planning Committee schedule a Board discussion of possibly moving the transition line which divides Rogers Road.

CHARGE FOR COMMUNITY STEERING COMMITTEE/BUSINESS INCUBATOR

Alderman Zaffron requested that Aldermen Anderson and Gist prepare the charge for the Community Steering Committee for the business incubator program so that the application process can proceed.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION AT 11:00 P.M. TO DISCUSS A MATTER INVOLVING ATTORNEY/CLIENT PRIVILEGE AND A PERSONNEL MATTER. VOTE: AFFIRMATIVE ALL

Town Clerk