

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 7, 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 |
| | Jacquelyn Gist |
| | Diana McDuffee |
| | Frances Shetley |
| | Alex Zaffron |
| Town Manager | Robert W. Morgan |
| Town Clerk | Sarah C. Williamson |
| Town Attorney | Michael B. Brough |

Absent:

- | | |
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| Alderman | Hilliard Caldwell |
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RESOLUTION OPPOSING PLANNED LAUNCH OF THE CASSINI SPACE PROBE

Gary Giles presented a petition from the Orange County Peace Coalition urging the Board of Aldermen to go on record not only to express concern for the possible dangers to public health, but to appeal to the President to postpone planned space missions using plutonium as a source of power for the instruments on board until an alternative, safer technology is developed.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Hank Anderson.

**A RESOLUTION OPPOSING THE PLANNED LAUNCH
OF THE CASSINI SPACE PROBE
Resolution No. 11/97-98**

WHEREAS, NASA is planning to launch the Cassini space probe on October 13, 1997 from Cape Canaveral, Florida to explore Saturn; and

WHEREAS, the Cassini space probe will be carrying 72.3 pounds of plutonium 238 to supply power to the instruments on board; and

WHEREAS, since plutonium is one of the most toxic chemicals known and mishaps are very possible; and

WHEREAS, since there have been previous accidents with space vehicles and the current problems with the Cassini mission, the risks are too great. The risks come from Cassini's Titan IV rocket launch and its returning flyby in 1999 from Venus to Earth to gain velocity to pass Jupiter enroute to Saturn; and

WHEREAS, there is concern that future missions are scheduled to continue to use plutonium as a power source. It is requested that use of plutonium be discontinued until other sources of energy, such as the high-performance solar cells being developed in Europe, be used.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO DO HEREBY RESOLVE:

Section 1. The Board of Aldermen wishes to express its concern for the possible dangers to public health, and appeal to President Clinton to postpone these planned space missions using plutonium as a source of power for the instruments on board until an alternative, safer technology is developed.

Section 2. A copy of this resolution shall be forwarded to President Clinton.

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 7th day of October, 1997:

Ayes: Frances Shetley, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Alex Zaffron

Noes: None

Absent or Excused: Hilliard Caldwell

REQUEST FOR REPORT ON USE OF PROPERTY LOCATED AT THE INTERSECTION OF JONES FERRY ROAD AND ALABAMA AVENUE

Clyde Neville, Jr., a resident of 806 Davie Road, and owner of property at the intersection of Jones Ferry Road and Alabama Avenue, requested to know what he can do with his property.

Roy Williford, Planning Director, stated that this property has a drainage way going through it and stream buffer. The stream buffer would have to be worked around.

The Board requested a report from the staff on the possible usage and restraints on this property.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY ALEX ZAFFRON TO ADOPT THE SEPTEMBER 23, 1997 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT ESTABLISHING A MORATORIUM ON THE PROCESSING OF SPECIAL AND CONDITIONAL USE PERMIT APPLICATIONS FOR DEVELOPMENTS ON PROPERTIES WITHIN THE NORTHERN STUDY AREA

The administration recommended that the Board of Aldermen set a public hearing for November 18, 1997 to consider an ordinance entitled, "An Ordinance Establishing a Moratorium on the Processing of Special and Conditional Use Permit Applications for Developments on Properties Within the Northern Study Area." The administration further requested that the ordinance be referred to the Planning Board for consideration.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY ALEX ZAFFRON TO SET A PUBLIC HEARING FOR NOVEMBER 11, 1997 AND TO REFER THE PROPOSED ORDINANCE TO THE PLANNING BOARD AND APPEARANCE COMMISSION FOR CONSIDERATION. VOTE: AFFIRMATIVE ALL

REQUEST TO CANCEL BOARD MEETINGS

On September 23, 1997, Mr. Stick Williams, President of the PPP, requested that the Board of Aldermen consider canceling its regular meeting scheduled for November 11, 1997 in order to allow Board members to attend the Public Private Partnership intercity visit to Ann Arbor, Michigan on November 10-12. Aldermen Anderson and Caldwell expressed an interest in attending the intercity visit. The Board requested this matter be placed on tonight's agenda to consider canceling the November 11th Board meeting. In addition, the Agenda Planning Committee has requested that the October 28th Board meeting be canceled in order for the Board members to attend the Assembly of Governments meeting, and the November 4th Board meeting should be canceled due to that being Election Day.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY ALEX ZAFFRON TO CANCEL THE NOVEMBER 4TH BOARD MEETING. VOTE: AFFIRMATIVE ALL

PROCLAMATIONS ISSUED

Mayor Nelson read proclamations proclaiming October as Disability Employment Awareness Month and Fire Prevention Month in the Town of Carrboro.

PUBLIC HEARING/ZONING MAP AMENDMENT/REZONING OF 402 JONES FERRY ROAD

The purpose of this item was for the Board of Aldermen to hold a public hearing to consider the rezoning of 1.5 acres of property located at 402 Jones Ferry Road from R-7.5 to M-1.

Roy Williford, Planning Director, presented the proposal for rezoning. Mr. Williford stated that the town staff recommended approval of the proposed rezoning.

Mayor Nelson pointed out that the Planning Board had voted to recommend approval of the rezoning.

Cliff Collins stated that he would like to move his wholesale business to the Jones Ferry Road site. Mr. Collins stated that the oil tanks would be removed from the property.

George Miniere cautioned the Board about rezoning this property to allow manufacturing which would be used for businesses other than the applicant's proposed use which could allow for another Mellott Trucking Company.

Alberta Neely, a resident of Prince Street, questioned the location of the proposed rezoning.

Ellen Perry questioned how much additional truck traffic Jones Ferry Road can accommodate.

Judy Anderson asked whether Mr. Collins' business expansion would produce more jobs. Ms. Anderson expressed concern about additional large trucks on Jones Ferry Road. Ms. Anderson asked suggested that the speed limit on Jones Ferry Road be reviewed.

MOTION WAS MADE BY DIANA MCDUFEE AND SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE ONE LOT (1.5 ACRES IN SIZE) LOCATED AT 402 JONES FERRY ROAD FROM R-7.5 (RESIDENTIAL, MINIMUM 7,500 SQUARE FEET PER DWELLING UNIT) TO M-1 (LIGHT MANUFACTURING)." VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO ESTABLISH LIMITS ON MULTI-FAMILY UNITS, DUPLEXES, AND TWO-FAMILY APARTMENTS CONTAINING FOUR OR MORE BEDROOMS.

The Board of Aldermen, on September 16th, received a request from Ms. Jane Burns representing "The Neighbors for the Responsible Development of Old Pittsboro Road" to rezone the Pittsboro Road area to accurately reflect current or existing land uses. On September 23, 1997 the Board of Aldermen decided to address the concerns expressed by Ms. Burns by setting this public hearing to consider an ordinance amending the Land Use Ordinance to establish limits on multi-family units, duplexes, and two-family apartments containing four or more bedrooms.

Roy Williford explained the proposed amendment and presented two alternative ordinances for the Board's consideration. Alternative A creates sub-classifications for duplex, two-family, and multi-family housing that allows units with 3 or less bedrooms and units with more than 3 bedrooms. Alternative B provides some flexibility by allowing developments to have a maximum of 20% of its units with more than three bedrooms.

Andy Cohen, Chair of the Planning Board, stated that the Planning Board reviewed this ordinance with no particular project in mind. Mr. Cohen stated that the Planning Board voted unanimously against both proposed alternative ordinances. Mr. Cohen stated that the Planning Board felt that the proposed ordinances would not be good zoning policy for the Town of Carrboro, and that there was dissatisfaction voiced regarding the definition of bedroom.

Mr. Cohen stated that his law firm represents Real Estate Associates, but not on this particular project.

Jane Burns, a resident of 406 S. Greensboro Street and representing the Neighbors for the Responsible Development of Old Pittsboro Road, spoke in favor of the proposed ordinances. Ms. Burns stated that the alternative that limits the number of 4 bedroom units to 20% of the project would help their neighborhood. Ms. Burns stated that she feels 4-bedroom housing is more appropriate in some neighborhoods than others, and does

not feel it is appropriate for the Old Pittsboro Road neighborhood. Ms. Burns stated that the Old Pittsboro Road neighborhood is already diverse. Imposing the proposed type of apartment structure will not increase the diversity, but will decrease the diversity. Ms. Burns stated that she thought construction of four-bedroom units would target a small group of individuals. Ms. Burns stated that her neighborhood was not made aware of the Planning Board meeting at which the proposed ordinance was discussed.

Joe Jernigan, representing Real Estates Associates, stated that the site of the proposed apartment complex has been zoned for their proposed use for quite a number of years. Mr. Jernigan stated that their concern is for their proposed development whose plans were submitted to the town six months ago. Mr. Jernigan stated that he did not feel it was fair for the town to require them to change their plans at this stage of development. Mr. Jernigan asked that the town grandfather their development in if the Board chooses to revise the land use ordinance to limit the number of bedrooms.

Mike Altfilliseh, a resident of 103-B Todd Street, stated that the town is better served to consider developments on a case-by-case basis, and stated that he did not think that limiting the number of residents in apartments is practical.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HANK ANDERSON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JACQUELYN GIST TO ADOPT ALTERNATIVE B OF THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO ESTABLISH LIMITS ON MULTIFAMILY UNITS, DUPLEXES, AND TWO-FAMILY APARTMENTS CONTAINING FOUR OR MORE BEDROOMS. VOTE: AFFIRMATIVE ALL

REPORT ON ORANGE COUNTY'S BOND REFERENDUM

Margaret Brown, a member of the Orange County Board of Commissioners, and John Link, the Orange County Manager, made a presentation on Orange County's proposed \$60.6 Million Bond Referendum for 1997.

REPORT FROM TASK FORCE TO IDENTIFY PROCESS FOR PUBLIC INPUT ON USE OF COMMUNITY CENTER PORTION OF CHURCH PROPERTY

Mr. Morgan stated that the task force to identify the process for public input on use of the community center portion of the Carrboro Baptist Church met and discussed what process would work best for Carrboro citizens. The members of the task force decided that the charette process would be the most suitable process to use. The architect selected to do the plans for renovations to the building will design this process.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HANK ANDERSON TO APPROVE THE CHARETTE PROCESS. VOTE: AFFIRMATIVE ALL

DISCUSSION OF REPORT FROM THE LANDFILL OWNERS GROUP/ LANDFILL NEIGHBORS WORKING GROUP

The purpose of this agenda item was for the mayor and Board of Aldermen to discuss the recommendations for improvements around the Orange Regional Landfill as proposed by the Landfill owners Group/Landfill Neighbors Working Group.

Alderman Gist stated that it is being proposed that an Assembly of Governments meeting be held to discuss the recommendations from the Landfill Owners Group/Landfill Neighbors Working Group.

Mr. Morgan stated that the tentative date for the Assembly of Governments meeting is October 22, 1997.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE RECOMMENDATIONS BY THE LANDFILL OWNERS GROUP/LANDFILL NEIGHBORS WORKING GROUP. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to request that the Town Attorney prepare a memo to the Board concerning this issue.

Alderman Gist requested that the October 22nd Assembly of Governments meeting be held at the Homestead Community Center.

APPOINTMENT TO ORANGE COUNTY JOINT MASTER RECREATION AND PARKS PLAN WORK GROUP

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPOINT DORIS MURRELL AND EVIE ODUM (WITH JOHN BOONE AS AN ALTERNATE) TO SERVE ALONG WITH ALDERMAN ANDERSON AS THE TOWN'S REPRESENTATIVES ON THE ORANGE COUNTY JOINT MASTER RECREATION AND PARKS PLAN WORK GROUP. AFFIRMATIVE ALL

REQUEST FROM CARRBORO BAPTIST CHURCH TO EXTEND THEIR LEASE OF THE CHURCH BUILDING

It was the consensus of the Board to offer the Carrboro Baptist Church a 60-day lease termination option.

REQUEST FOR REPORT ON DRUG ENFORCEMENT AT OLD WELL APARTMENTS

Mayor Nelson requested a report from the Police Department on the status of drug enforcement and possible location of a police substation at Old Well Apartments.

CITIZEN NOTIFICATION OF PLANNING BOARD MEETINGS

Alderman McDuffee requested that when citizens request land use ordinance text amendments, that those citizens be notified when the Planning Board is scheduled to review those requests.

MEETINGS OF ORANGE/CHATHAM WORK GROUP

Alderman Zaffron requested staff presence at meetings of the Orange/Chatham Work Group. In addition, Alderman Zaffron requested that the staff bring a zoning map of the town to the next scheduled meeting of the work group.

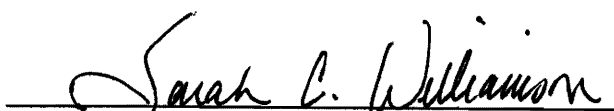
REQUEST FOR STATUS REPORT ON LOCATING A POLICE SUBSTATION IN THE LLOYD STREET NEIGHBORHOOD

Alderman Zaffron requested a status report on locating a police substation in the Lloyd Street neighborhood.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HANK ANDERSON TO ADJOURN AT 10:25 P.M. VOTE: AFFIRMATIVE ALL



Mayor



Town Clerk