

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 16, 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 |
| | Hilliard Caldwell |
| | Jacquelyn Gist |
| | Diana McDuffee |
| | Alan Spalt |
| | Alex Zaffron |
| Town Manager | Robert W. Morgan |
| Deputy Town Clerk | James E. Spivey |
| Town Attorney | Michael B. Brough |

TRIANGLE TRANSIT AUTHORITY BUS SCHEDULES

Ellen Perry requested that the Board of Aldermen ask the Triangle Transit Authority to place its bus schedules on the Internet.

LANDFILL VIGIL

Alderman Gist extended an invitation to citizens to attend a candle light vigil on Saturday, December 20, 1997, at 3:00 PM at the Eubanks Road Park-N-Drive Lot. Alderman Gist explained that the vigil is in support of the residents of the landfill neighborhood.

CHRISTMAS TREE LIGHTING

Mayor Nelson extended appreciation to the citizens and staff that participated in the tree lighting ceremony. Staff was instructed to send "thank you" notes to the teachers and students that participated.

APPROVAL OF MINUTES

Correction noted: bottom of page two; change "internalizing" to "internationalizing".

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE DECEMBER 9, 1997 MINUTES. VOTE: AFFIRMATIVE ALL

AWARD OF BID/FIRE TRUCK

The purpose of this item was to award the bid for the fire pumper-tanker to Emergency Apparatus for a total cost of \$274,000 and authorize the town staff to enter into a six-year installment purchase contract for the financing of the new truck.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO AWARD THE CONTRACT TO EMERGENCY APPARATUS FOR A TOTAL COST OF \$274,000. VOTE: AFFIRMATIVE ALL

BUDGET AMENDMENT

The purpose of this agenda item was to amend the 1997-98 fiscal year budget to: (1) appropriate funds for prior year encumbrances; (2) transfer funds from the non-departmental account to the various departments for the two percent across-the-board salary adjustments; (3) transfer funds from Capital Reserve-street resurfacing to Public Works for supplies associated with preparing the streets for resurfacing; (4) appropriate funds donated for Recreation- Athletic programs; (5) update the Revolving Loan Fund to reflect new loans approved by the Board; and (6) revise the Transportation Planning Fund to recognize Carrboro's share of planning funds for the 1997-98 year.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY'97-98 BUDGET AND PROJECT ORDINANCES." VOTE: AFFIRMATIVE ALL

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APPOINTMENTS TO BUDGET REVIEW COMMITTEE

The purpose of this item was for the Board of Aldermen to consider appointing Anthony Galiani, Lucy Gallo, Sally Efird and David Beck to the Budget Review Committee.

Alderman McDuffee requested that Stuart Brown be added as a member to the Budget Review Committee.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPOINT ANTHONY GALIANI, LUCY GALLO, SALLY EFIRD, STUART BROWN, AND DAVID BECK TO THE BUDGET REVIEW COMMITTEE. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO BOARD OF ADJUSTMENT

The Acting Chair of the Board of Adjustment is recommending that David Collins be appointed to one of the vacant in-town seats on the Board of Adjustment.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPOINT DAVID COLLINS TO THE BOARD OF ADJUSTMENT. VOTE: AFFIRMATIVE ALL

CONTINUED DISCUSSION OF PARKING ON PRINCE STREET

The Board of Aldermen considered an amendment to the Town Code prohibiting parking on the west side of Prince Street from its intersection with Queen Street to the street's northern terminus. There was discussion regarding the time period of the proposed trial parking prohibition. Considering the time period requested by the effected residents, the Board of Aldermen accepted a thirty-day trial time period.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HANK ANDERSON TO ADOPT AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE DESIGNATING NO PARKING AT ANY TIME" AND THAT LANGUAGE BE INCLUDED IN THE ORDINANCE SPECIFYING THE TIME PERIOD OF THE PROHIBITED PARKING. VOTE: AFFIRMATIVE ALL

This matter will be reviewed by the Board after the thirty-day trial period.

GRANT APPLICATION/FUNDING FOR ALTERNATIVE FUEL VEHICLES

Marty Mandell presented a grant application to the Board of Aldermen for consideration seeking funding from the N.C. Department of Environment and Natural Resources to fund alternative fuel vehicles.

Due to the deadline date (December 31, 1997) for submittal of the grant proposal and a number of unanswered questions, the Board of Aldermen could not make an informed motion of support for submitting a grant by the deadline date. However, the Board of Aldermen, by consensus, directed:

1. Staff is to continue to work with Marty Mandell in developing a grant proposal.
2. Investigate other funding sources for the proposed project.
3. The group Ms. Mandell was initially working with should continue to work in concert with staff assistance.
4. Local automobile dealerships should be contacted and asked to participate in this process.

CLARIFICATION OF CONDITION/BERRYHILL CONDITIONAL USE PERMIT

The Board of Aldermen approved a Conditional Use Permit for the Berryhill Phase 3 and 4 Subdivision on June 17, 1997. This CUP included a condition to delete lot 25. The developer has requested a clarification of the Board's intent of this condition as noted in Wayne Hadler's letter dated December 2, 1997. The administration requested that the Board of Aldermen clarify the intent of CUP condition # 7.

Henry Wells, Town Engineer, answered questions regarding the technical engineering aspects of condition #7.
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By Board consensus, the CUP condition #7 is to remain as is.

NOTIFICATION FOR QUAIL ROOST DRIVE IMPROVEMENTS

The Board of Aldermen at its November 11, 1997 meeting, requested that the town staff prepare a recommendation for notification of residents affected by the Quail Roost Drive improvements for NCDOT's public hearing on this matter. The purpose of this item was to inform the Board of Aldermen of the town staff's plans to identify the area of notification concerning Quail Roost Drive improvements.

It was the consensus of the Board of Aldermen that the area of notification should include, in addition to the area initially proposed, residents along the south side of Rainbow Drive, all the residents along Dove Street, and the property owners on the north side of the intersection of Lisa and Carol Streets.

REQUEST TO FORWARD LETTER TO TIME WARNER/FRANCHISE FEE CALCULATIONS

Triangle J Council of Governments' Cable Consortium informed the town that there has been a discrepancy in Time Warner Cable's calculation of Franchise fees paid to the town. The purpose of this item is to authorize the Town Manager to forward the attached letter to Time Warner Cable.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY HANK ANDERSON TO AUTHORIZE THE TOWN MANAGER TO FORWARD THE LETTER TO TIME WARNER CABLE. VOTE: AYES 3 (Caldwell, Anderson, Spalt); NOES 4 (Zaffron, Nelson, McDuffee, Gist).

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO AUTHORIZE THE TOWN MANAGER TO FORWARD A SIMILAR LETTER TO TIME WARNER CABLE WITH LANGUAGE ADDED DEMANDING RETROACTIVE PAYMENT OF THE UNDERPAYMENT FEES. VOTE: AYES 5 (Zaffron, Gist, Nelson, McDuffee, Spalt); NOES 2 (Anderson, Caldwell).

WORKSESSION/DISTRIBUTION OF INFORMATION RELATED TO THE LAND USE ORDINANCE

The Board of Aldermen at its August 26, 1997 meeting requested that the town staff provide a report on what information is provided to potential applicants to aid them in obtaining their permits. The staff has provided samples of various handouts that are routinely provided to potential applicants.

The Board of Aldermen made the following suggestions regarding the brochures distributed by staff:

1. Larger print should be used.
2. Telephone numbers should be included on all brochures.
3. Brochure information should be on the Carrboro Website.
4. A re-modeling brochures should be developed.
5. An open space and setback requirements brochure should be developed.
6. All brochures should be dated in reference to when they are created/produced.
7. New brochures should be created periodically; existing procedures should be updated when applicable.
8. All brochures should have language referencing the fact that applicable fees may vary depending upon the specific situation and/or circumstance.
9. A brochure should developed regarding "frequently asked questions".
10. A distinction should be made between "home occupation" and "day care" uses.
11. Calls seeking development information should be documented; detailing the subject, what information was given by telephone and mailed, and which staff member responded.

WORKSESSION/REVIEW OF AFFORDABLE HOUSING OPTIONS

Alderman Zaffron requested that the Board receive copies of past documents relative to affordable housing in order for the Board to continue its discussion on this topic.

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MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HANK ANDERSON THAT THE BOARD OF ALDERMEN GO INTO CLOSED SESSION TO DISCUSS LEGAL ISSUES REGARDING INCLUSIONARY ZONING. VOTE: AFFIRMATIVE ALL.

Alderman Zaffron proposed that a blanket ordinance be drafted which would require that 20% or more of the dwelling units in a given subdivision, which would require a CUP or SUP, to come in at 1100 square feet or less. Alderman Zaffron explained that this proposal would encourage the development of a market segment which is not being presently built.

Mayor Nelson proposed that large subdivisions be built with 1/3 of the subdivision being multi-family (apartments, duplexes, triplexes); 1/3 being small single-family homes (800-1500 square feet); and 1/3 to be whatever the developer desires.

There was discussion regarding the two proposals and discussion regarding a possible square foot ordinance that would work and be legally defensible and a possible companion ordinance which would similarly regulate lot sizes.

The Board directed the town attorney to draft a memo that:

1. Outlines the pros and cons of both options proposed by Mayor Nelson and Alderman Zaffron, including the possibility of flexibility in lot sizes.
2. Analyzes how to combine the two proposed options.
3. Gives consideration to development percentages.

NEXT MEETING ABSENCES

Mike Brough and Mayor Nelson informed the Board that they would be unable to attend the January 06, 1998 Board meeting.

FACILITATED WORKSESSION

Mayor Nelson stated that the facilitated worksession regarding the community center would take place on Saturday, January 24, 1998, from 9:00 AM – 1:00 PM at the Carrboro Baptist Church.

COUNTY TAX STATEMENT

Mayor Nelson informed the Board that the County is revising its tax statement and that Carrboro taxes would be itemized separately. He stated that if Board members wanted to have input regarding the revision of the tax statement, they should call Orange County Commissioner Margaret Brown. Staff was instructed to contact Orange County to get a copy of the tax statement for "mark-up" purposes.

MANAGER'S EVALUATION

Mayor Nelson stated that the process for evaluating the town manager should be changed and suggested that a subcommittee of the Board investigate more effective procedures for evaluating the town manager. Mayor Nelson and Aldermen McDuffee and Gist will serve on the subcommittee.

Alderman Spalt suggested that Robert Morgan should have input regarding the evaluation process.

NIGHT FLIGHT BASKETBALL

Mayor Nelson informed the Board a request had been made that Carrboro sponsor a Carrboro team for Night Flight Basketball. The price of total sponsorship is \$3000.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY ALEX ZAFFRON TO AUTHORIZE THE MANAGER TO TAKE \$500 FROM THE TOWN'S CONTINGENCY FUND TO CONTRIBUTE TO Carrboro Board of Aldermen

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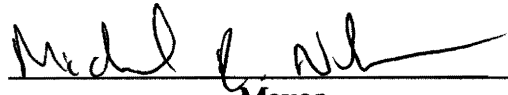
THE FUNDING OF A NIGHT FLIGHT BASKETBALL TEAM. VOTE: AFFIRMATIVE ALL.

ORANGE COUNTY SCHOOL AND LAND USE COUNCIL

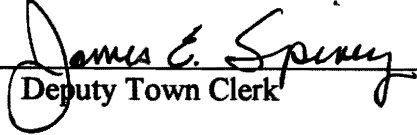
Alderman Spalt informed the Board that the Orange County School and Land Use Council would be meeting on February 11, 1998 to share information regarding land use policies and procedures of the three municipalities within the County. Each municipality is to make a brief presentation regarding its land use policies and procedures. Alderman Spalt requested that staff assist in gathering information for the presentation and that a staff member be present to answer specific questions.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HANK ANDERSON THAT THE BOARD GO INTO CLOSED SESSION TO DISCUSS ATTORNEY-CLIENT ISSUES. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY ALEX ZAFFRON THAT THE BOARD MEETING BE ADJOURNED AT 11:15 P.M. VOTE: AFFIRMATIVE ALL.



Mayor



Deputy Town Clerk