

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 24, 1998 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 |
| | Allen Spalt |
| | Alex Zaffron |
| Town Manager | Robert W. Morgan |
| Deputy Town Clerk | James E. Spivey |
| Town Attorney | Michael B. Brough |
| <i>ABSENT:</i> | Alderman Hilliard Caldwell |

FARMERS' MARKET REQUEST

Patrick Mulkey, President of the Board of Directors of the Farmers' Market, addressed the Board. Mr. Mulkey cited parking problems for the Farmers' Market and cited the need for a public parking lot next to the County Offices Building. Mr. Mulkey stated that the Farmers' Market Board of Directors would like to offer several thousand dollars to the town towards providing additional parking for the market.

The Board referred this matter to staff for consideration.

PRESENTATION OF RESOLUTIONS

The Mayor and the Board of Aldermen presented Mrs. Linda Roberts a resolution previously adopted by the Board of Aldermen entitled, "A Resolution Expressing Appreciation to Captain Thomas Eugene Roberts" and also a resolution adopted by the North Carolina League of Municipalities which expresses condolences over the passing of Captain Tommy Roberts.

Mrs. Linda Roberts expressed appreciation to the Fire Department families of Carrboro and Chapel Hill and to the citizens for their acts of kindness and support.

Chief Rodney Murray expressed his appreciation to the League of Municipalities and stated that the Fire Department family would continuously offer support to the Roberts family.

It was requested that the resolution be amended to mention Tommy's two daughters' names.

STUDENTS' REQUEST

Alderman Gist read a letter from Braden Leonard, Joe Norkus, and David Lai, students at McDougald Middle School, requesting that skate boarding be allowed at Carrboro Community Park. Alderman Gist requested that the students' letter be given to the press and that the request be referred to staff and the Carrboro Recreation Commission and the Orange County Recreation Steering Commission.

CARRBORO PLAZA PARK-N-RIDE LOT

Alderman Zaffron referenced a news article regarding the Park-N-Ride Lot at Carrboro Plaza in the Daily Tar Heel which he felt implied that park-n-ride services might be discontinued.

Robert Morgan stated that the matter was presently under review by Chapel Hill Transit. Mr. Morgan stated that all parties involved in this matter are working diligently and harmoniously to address this matter so that park-n-ride services will continue.

APPROVAL OF MINUTES

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALLEN SPALT TO APPROVE THE MARCH 17, 1998 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO CHANGE MEETING DATE

The administration requested that the Board considering canceling its regular meeting scheduled for May 5, 1998 due to that being Election Day and that a meeting be scheduled for May 12, 1998.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALLEN SPALT TO CANCEL THE MAY 5TH BOARD MEETING AND SCHEDULE A MEETING FOR MAY 12TH. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/SUNSET CREEK SUBDIVISION, PHASE III

James Brandewie, representing Homescape Development Company, has submitted a petition requesting the annexation of Phase III of the Sunset Creek Subdivision. This phase contains 12.49 acres. The administration requested adoption of a resolution that sets a public hearing on this request for April 7, 1998.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Allen Spalt.

**A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER
THE ANNEXATION OF SUNSET CREEK SUBDIVISION, PHASE III
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 30/97-98**

WHEREAS, the Town of Carrboro has received a petition from the owner(s) of Phase III of the Sunset Creek Subdivision requesting that their property be annexed into 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 April 7, 1998 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 24th day of March, 1998:

Ayes: Alex Zaffron, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Allen Spalt

Noes:

Absent or Excused: Hilliard Caldwell

Alderman Zaffron requested that staff make a report to the Board regarding the berm on the property prior to any annexation activity.

STATUS REPORT/SMALL AREA PLAN ORDINANCE DRAFTING COMMITTEE

The purpose of this item was to hold a worksession to discuss the status of the work of the Small Area Plan Ordinance Drafting Committee. This committee is in the process of assigning base density to the study area, preparing associated map amendment recommendations, preparing design standards for development in the study area, and discussing the establishment of a planning board for the Northern Transition Area. The committee expects to complete these tasks during the next month.

Jay Bryan, Chairman of the Ordinance Drafting Committee, made a presentation to the Board.

The Board referred the enabling legislation issue to the Board's April 07, 1998 agenda.

FUNDING REQUEST/CHAPEL HILL-CARRBORO YMCA

The Town has received a request from the Chapel Hill-Carrboro YMCA for funding to assist in the construction of a \$2,000,000 building expansion and renovation project. The funding request of Carrboro is \$10,000.00. Ted Vaden, co-chairman of the YMCA, and Denise Corey, Campaign Director of the YMCA, made a presentation to the Board.

The Board directed staff to include this request during budget deliberations.

Alderman Gist requested information regarding child care rates and the youth programs.

CONDITIONAL USE PERMIT MINOR MODIFICATION/CARRBORO PLAZA SHOPPING CENTER

Phil Post and Associates, on behalf of the owners of Carrboro Plaza Shopping Center, have applied for a minor modification to the conditional use permit for Carrboro Plaza to allow for the reconfiguration of the parking lot layout and the addition of a recycling center. The administration recommended that the Board of Aldermen approve the minor modification as presented.

Keith Lankford, Zoning Administrator, made the staff presentation.

Greg Shepard, representative of Phil Post and Associates, addressed questions regarding tree planting and parking lot lighting.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY ALEX ZAFFRON TO APPROVE THE MINOR MODIFICATION AS REQUESTED. VOTE: AFFIRMATIVE ALL

LAND USE ORDINANCE TEXT AMENDMENT/REGULATIONS AFFECTING DRIVE-IN WINDOWS

The purpose of this item was to hold a worksession to discuss possible revisions to the Land Use Ordinance, which would affect the status of drive-in and drive-through windows as a permissible use. Should the Board determine that an amendment to the Land Use Ordinance is needed, the administration recommended that a public hearing be scheduled for May 12, 1998.

Patricia McGuire, Land Use Planner, made the staff presentation.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT THAT A PUBLIC HEARING DATE OF MAY 12, 1998 BE SET AND THAT THE TOWN ATTORNEY DRAFT AN ORDINANCE WHICH PROHIBITS DRIVE-IN/THROUGH WINDOWS IN THE B-1(C) ZONE, B-1(G) ZONE, AND EVERYTHING, EXCEPT BANKS, IN THE OTHER ZONING DISTRICTS. VOTE: AFFIRMATIVE ALL.

The Board directed staff to investigate design standards for drive in/through windows.

LAND USE ORDINANCE TEXT AMENDMENT/SETBACKS APPLICABLE TO FENCES ON DOUBLE-FRONT LOTS AND OTHER ISSUES ASSOCIATED WITH PRIVACY WALLS AND FENCES ALONG PUBLIC RIGHTS-OF-WAY

The purpose of this item was to hold a worksession to discuss amendments to the Land Use Ordinance which affect the siting, size, and type of walls and fences. Should the Board wish to proceed with amending the Land Use Ordinance, the administration recommended that a public hearing be scheduled for May 12, 1998.

Patricia McGuire, Land Use Planner, made the staff presentation.

MOTION WAS MADE JACQUELYN GIST AND SECONDED BY HANK ANDERSON THAT A PUBLIC HEARING DATE OF MAY 12, 1998 BE SET TO CONSIDER THIS MATTER. VOTE: AFFIRMATIVE ALL.

LAND USE ORDINANCE TEXT AMENDMENT WHICH WOULD REQUIRE SIDEWALKS ON BOTH SIDES OF STREETS

The purpose of this item was for the Board of Aldermen to hold a worksession to discuss a proposed amendment to the Land Use Ordinance that would require sidewalks on both sides of streets. Should the Board determine that it wishes to amend the Land Use Ordinance, the administration recommends that a public hearing be scheduled for May 12, 1998.

Roy Williford, Planning Director, made the staff presentation.

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY HANK ANDERSON THAT A PUBLIC HEARING DATE OF MAY 12, 1998 BE SET TO CONSIDER REQUIRING SIDEWALKS ON BOTH SIDES OF STREETS CLASSIFIED AS COLLECTORS AND SUBCOLLECTORS AND REFER TO TAB AND PLANNING BOARD FOR COMMENT. VOTE: AFFIRMATIVE ALL.

CONTINUATION DATE FOR JOINT PUBLIC HEARING

By consensus, the Board agreed on Wednesday, June 24, 1998 as the date to continue, if need be, the April 08, 1998 Joint Public Hearing.

GRANT APPLICATION: TOWN COMMONS PLAYGROUND EQUIPMENT

The following resolution was introduced by Alderman Jacquelyn Gist and seconded by Alderman Allen Spalt.

A RESOLUTION TO AUTHORIZE PURSUING A
COMMUNITY PLAYGROUND GRANT FROM
THE ORANGE COUNTY PARTNERSHIP FOR YOUNG CHILDREN
FOR THE TOWN COMMONS
Resolution No. 33/97-98

WHEREAS, the Board of Aldermen recognizes the value of quality play opportunities for all children and that public play equipment provides for designated play and learning environments; and

WHEREAS, an accessible play experience provides diversity in both the physical and social environment and enhances the potential for the child to make choices, take on challenges, learn and to have fun; and

WHEREAS, the Board of Aldermen wishes to have a playground accessible at the Town Commons.

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

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Section 1. The Board of Aldermen supports requesting a grant in the amount of \$8,000 in Smart Start funds to be applied toward the construction of such a playground on the Town Commons.

Section 2. That the Board of Aldermen appreciates the efforts of the Orange County Partnership for Young Children to administer and make such funds available to the community for this worthwhile purpose.

Section 3. That the Town Manager be directed to submit the application for \$8,000 in Smart Start funds to this agency by March 31, 1998.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1998:

Ayes: Hank Anderson, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: Hilliard Caldwell

The Board appointed Allen Spalt to serve on the Town Commons Committee with Michael Nelson.

JOINT RECREATION PROGRAMMING OPPORTUNITIES

The following resolution was introduced by Alderman Jacquelyn Gist and seconded by Alderman Allen Spalt.

**A RESOLUTION TO AUTHORIZE PURSUING JOINT RECREATION PROGRAMMING OPPORTUNITIES WITH THE TOWN OF CHAPEL HILL FOR AT-RISK YOUTH IN THE COMMUNITY
Resolution No. #32/97-98**

WHEREAS, the Town of Carrboro recognizes the value of quality recreation opportunities and the role they play in guiding our youth to have a strong "sense of self" which fosters a broader "sense of community"; and

WHEREAS, it is universally recognized that youth are most at-risk when they are not at school; and

WHEREAS, the Town of Carrboro accepts that this need transcends town limits and, thereby, seeks a collaborative effort with the Town of Chapel Hill and that the guiding principle and philosophy of this effort be rooted in the proverb, "it takes a whole village to raise a child".

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

Section 1. The Board of Aldermen asks that Alderman Henry Anderson represent them by opening discussions with Town of Chapel Hill officials on establishing plans for joint recreation programming efforts for at-risk youth.

Section 2. That such discussions take into consideration the need for a strong collaborative effort and resources from both Towns.

Section 3. That the Town Manager be directed to provide appropriate staff support in this endeavor.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1998.

AYES: Alex Zaffron, Hank Anderson, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Allen Spalt

NOES: None

ABSENT: Hilliard Caldwell

CLEAN WATER MANAGEMENT TRUST FUND

The Board directed the Town Manager to investigate the possibility of applying for funds for greenways along creeks.

ENTERTAINMENT BUDGET REQUEST

The Board directed staff to present an entertainment budget request during budget deliberations for FY 1998-99. The entertainment budget request would cover opening ceremony festivities for the Town Center.

ADVISORY BOARD APPOINTMENTS

The Board directed staff to place the issue of advisory board appointments on the agenda for the Board's next meeting and to submit all applications for the vacancies on the advisory boards/commission.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HANK ANDERSON THAT THE MEETING BE ADJOURNED AT 11:00 PM.



Mayor



Deputy Town Clerk