

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 13, 1998 at 7:30 p.m. in the Town Hall Board Room.

PRESENT AND PRESIDING:

Mayor	Michael Nelson
Aldermen	Hilliard Caldwell
	Jacquelyn Gist
	Diana McDuffee
	Allen Spalt
	Alex Zaffron
Town Manager	Robert W. Morgan
Deputy Town Clerk	James E. Spivey
Town Attorney	Michael B. Brough

ABSENT:

Alderman Hank Anderson

SAN FRANCISCO'S INTEGRATED PEST MANAGEMENT PROGRAM

Alderman Spalt introduced David Frieders. Mr. Frieders is the Agricultural Commissioner for the San Francisco County Department of Agriculture.

Mr. Frieders presented an overview of the City of San Francisco's Integrated Pest Management Program. Mr. Frieders explained that the Program mandates the elimination of most hazardous pesticides, substantial reductions in most other, and establishes notification, training and public access to information over a three-year period. Additionally, Mr. Frieders presented a miniature flag of San Francisco and a lapel pin of San Francisco to Mayor Nelson.

APPROVAL OF MINUTES

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE OCTOBER 6, 1998 MINUTES. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

AWARD OF BID/PURCHASE OF VEHICLES

The purpose of this item was to award a contract for the purchase of four (4) vehicles that are budgeted for the Inspections Division, Building & Trades Division, Public Works Supervision, and Fire Department Supervision.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO AWARD THE BID TO UNIVERSITY FORD FOR A TOTAL COST OF \$88,823. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

BUDGET AMENDMENT

The purpose of this agenda item was to amend the 1998-99 fiscal year budget to transfer funds from Contingency to Governance Support to cover expenses associated with the upcoming visit of the consultant who developed the San Francisco Pesticide Reduction Ordinance.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE" TO TRANSFER \$300.00 FROM CONTINGENCY TO GOVERNANCE SUPPORT. VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

A RESOLUTION REQUESTING AN APPOINTMENT TO A TRANSITION AREA SEAT ON THE CARRBORO PLANNING BOARD

Resolution No. 13/98-99

WHEREAS, as a result of the resignation of Katherine Kaufman, it is necessary to appoint a person to a seat reserved on the Carrboro Planning Board for persons residing within the town's Transition Area; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint Transition Area members to the town's Planning Board.

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

Section 1. The Orange County Board of Commissioners is respectfully requested to appoint the following individual to a Transition Area seat on the Carrboro Planning Board whose term would expire in February, 2001:

Ms. Susan Poulton
8720 Union Grove Church Road
Chapel Hill, N.C. 27516

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Carrboro Board of Aldermen may make this appointment.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

Section 4. 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 13th day of October, 1998:

Ayes: Hilliard Caldwell, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: Hank Anderson

CHARGES ISSUED

The Deputy Town Clerk issued the charge of Downtown Development Commission membership to Amy Singleton.

The Deputy Town Clerk issued the charge of Appearance Commission/Neighborhood Preservation District Commission membership to Sophie Piesse.

The Deputy Town Clerk issued the charge of Appearance Commission/Neighborhood Preservation District Commission membership to Cara Crisler.

HATE CRIMES RESOLUTION

Alderman Caldwell voiced concern regarding an incident that took place in the state of Wyoming in which a young, gay man was beaten to death allegedly due to his sexual orientation.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALLEN SPALT THAT THE TOWN OF CARRBORO BOARD OF ALDERMEN SEND A RESOLUTION TO THE TOWN'S FEDERAL, STATE, AND COUNTY DELEGATION REPRESENTATIVES THAT THE EXISTING FEDERAL HATE CRIMES LAW BE AMENDED TO INCLUDE "SEXUAL ORIENTATION"; THAT THE PENDING STATE HATE CRIMES LAW INCLUDE "SEXUAL ORIENTATION"; AND THAT THE EXISTING ORANGE COUNTY HUMAN RELATIONS ORDINANCE BE AMENDED TO INCLUDE "SEXUAL ORIENTATION". VOTE: AYES 6 (Zaffron, Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 0; ABSENT/EXCUSED 1 (Anderson).

REPORT ON RENAMING AUTUMN DRIVE IN WILLIAMS WOODS

The purpose of this item was to provide the Board of Aldermen with comments received from the residents along Autumn Drive in Williams Woods regarding the possibility of a street renaming.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HILLIARD CALDWELL THAT AUTUMN DRIVE IN WILLIAMS WOODS REMAIN NAMED AUTUMN DRIVE. VOTE: AYES 5 (Caldwell, Nelson, McDuffee, Gist, Spalt); NOES 1 (Zaffron); ABSENT/EXCUSED 1 (Anderson).

REQUEST FOR REZONING/610 JONES FERRY ROAD/O TO B-4

The purpose of this item was to discuss a PETITION FOR CHANGE OF ZONING for 610 Jones Ferry Road, and if deemed appropriate, set a public hearing for November 10, 1998 to review this request.

Patricia McGuire, Land Use Planner, made the staff presentation. Ms. McGuire reviewed the zoning history of the property; compared the O (Office) and B-4 (Outlying Concentrated Business) zoning designations; reviewed the density and dimensional regulations of both the O and B-4 zoning designations; staff findings upon review of the PETITION FOR CHANGE OF ZONING; and stated that the Administration recommends that the PETITION not be accepted by the Board of Aldermen and that staff be directed to return all application materials, including fees, to the applicant.

The Board directed staff to confer with the applicant and assist the applicant in possibly considering an alternative zoning designation of CT (Corporate Town) or some other zoning classification that allows additional commercial uses.

MOTION WAS MADE BY HILLIARD CALDWELL TO SET A PUBLIC HEARING FOR NOVEMBER 10, 1998. MOTION DIED FOR LACK OF A SECOND.

WORKSESSION/REVIEW OF PART 2/ORDINANCE TO IMPLEMENT THE NORTHERN STUDY AREA SMALL AREA PLAN

The town staff presented Part 2 of a four-part presentation on the elements of the ordinance to implement the Northern Study Area Small Area Plan.

Mayor Nelson informed that Board that the Orange County Commissioners were sending a letter to the Town voicing their support of the Town's extension of the development moratorium.

The staff distributed an October 13, 1998 Revised Northern Study Area Facilitated Plan Proposed Implementation Schedule.

Patricia McGuire, Land Use Planner, made the staff presentation. Ms. McGuire presented information regarding sections 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 18 of the draft ordinance. These sections of the draft ordinance cover Village Mixed-Use areas, Office/Assembly area, and good neighbor performance standards.

The Board and staff discussed this matter. Some of the specific issues discussed during the review of the aforementioned sections of the draft ordinance were:

- 1) Clarification of "contiguous" property in the VMU district in reference to rezoning procedures. [Section 15-141.2(d)(1)]
- 2) Clarification of Village Mixed Use (VMU) districts being serviced by OWASA. [Section 15-141.2(d)(3)]
- 3) Reference made to roads and buffering requirements discussed at the Part I presentation. It was stated that the 100-foot buffer requirement needs flexibility. It was suggested that buffers could be averaged where 100-foot buffers would be required in some places and buffers in other places would be less than 100 feet. It was suggested that buffers be coupled with design guidelines. [Section 15-312]
- 4) Clarification of the requirement that storefront use areas shall be at least 200 feet from an arterial street. [Section 15-176.2(a)(4)]

- 5) Requested that specific language be used to specify the parking space requirements of the VMU districts. Consider some requirements that are less stringent than those in the ordinance presently, recognizing that the village is pedestrian-oriented. [Section 15-176.2(f)(4)(e)]
- 6) Questioned ownership options and how to insure the "mix" will be maintained beyond initial development. [Section 15-176.2(b)(2)]
- 7) Diverse housing styles are to be encouraged. [Section 15-176.2(b)(2)]
- 8) Suggested the following language be used: "...build freestanding homes within the townhome areas if the same square footage in the townhome is built in the freestanding homes area or a comparable number of small freestanding units (1200 square feet or less) are built mixed into the single family residential area." [Section 15-176.2(b)(2)(a)]
- 9) Requested that it is specified that "green areas" are usable space. [Section 15-176.2(d)(2) and (3)]
- 10) Requested that the prohibition of exterior neon signs be deleted. [Section 15-176.2(f)(4)(j)(1)]
- 11) Requested clarification of Section 15-176.2(f)(4)(o).
- 12) The Board, by consensus, stated that the appearance and design standards are very prohibitive and prescriptive. [Section 15-176.2(f)(5)(f)]
- 13) The Board, by consensus, stated that the architectural standards are very prescriptive; thus modification to the standards are needed to allow flexibility.
- 14) Clarification is needed in regards to "odors." [Section 15-162]
- 15) Clarification is needed regarding noise levels - what noises will be permitted and which noises will not be permitted. [Section 15-163]
- 16) The town attorney stated that input is needed from the town engineer, Henry Wells, regarding the proposed stormwater management directives. [Section 15-263(a)(2)]

TOWN CODE AMENDMENT/PROHIBITION OF LAWN MOWERS ON SIDEWALKS

The purpose of this item was for the Board of Aldermen to consider amending the Town Code to prohibit riding lawn mowers on sidewalks.

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY ALLEN SPALT TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO PROHIBIT THE OPERATION OF MOTOR VEHICLES, INCLUDING LAWN MOWERS ON SIDEWALKS." VOTE: AYES 4 (Zaffron, McDuffee, Gist, Spalt); NOES 2 (Caldwell, Nelson); ABSENT/EXCUSED 1 (Anderson).

REPORT ON DEVELOPMENT REVIEW PROCESS

The purpose of this item was to describe the development review processes undertaken by the town and to receive recommendations from the Board of Aldermen regarding approaches to streamlining the process.

The Board delayed taking action regarding this matter.

DISCUSSION OF JORDAN LAKE AS A REGIONAL WATER SOURCE

Mayor Nelson requested that the Board of Aldermen discuss the future of OWASA'S water allocation from Jordan Lake and Chatham County's need for Jordan Lake water.

The Board delayed taking action regarding this matter.

AIRPORT STUDY STATUS REPORT

Alderman Spalt requested that a status report be presented regarding the airport study.
