

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 27, 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 |
| Asst. Town Manager | Bing Roenigk |
| Town Clerk | Sarah C. Williamson |
| Town Attorney | Michael B. Brough |

REQUEST FOR LAND USE ORDINANCE AMENDMENT

David Rooks, representing Peter Walsh, a Winsome Lane homeowner, stated that he is trying to sell his home, but everyone wanting to buy his house wants to add to it. An addition is not allowed due to the impervious surface requirements. Mr. Walsh is interested in acquiring a tract outside of the subdivision but still in Carrboro's zoning jurisdiction in the watershed from which he would permanently transfer impervious surface to the Winsome Lane lot up to the maximum permissible under the ordinance.

At the suggestion of the Town Attorney, Mr. Rooks requested that the Board consider a text amendment clearly addressing the question of transferability of impervious surface from one lot to another.

PRESENTATION OF AWARD

Doris Murrell, Bob Wright, Ellen Perry, Sharon Worthington, members of the Carrboro Day Committee, presented the Dorothy Mullen National Arts and Humanities award to the Board of Aldermen. This award was given for the Carrboro Day program.

REQUEST FROM PEOPLE'S CHANNEL

Katherine Loflin, Executive Director of the People's Channel, requested that the town request that Time Warner allow the People's Channel to air in Carrboro.

Sarah Corbett, Youth T.V. Coordinator for the People's Channel, explained the youth program.

The Board requested that the town staff to schedule a presentation by the People's Channel to the Cable T.V. Committee.

Alderman Zaffron requested the town staff schedule an agenda item for discussion in conjunction with franchise negotiations.

CONCERNS ABOUT NORTHERN SMALL AREA PLAN

Neal Alderman, representing Bryan Yates' property, stated that he is having difficulty selling this property due to the proposed Small Area Plan ordinance restrictions. In addition, the new road plan calls for a road to go through this property. Mr. Alderman stated that having hardwood trees as primary constraints is going to encourage people to cut down large trees. Mr. Alderman stated that 90% of Mr. Yates' property would be unusable if the proposed SAP ordinance provisions are adopted.

PROCLAMATION ISSUED

Mayor Nelson read a proclamation proclaiming October, 1998 as Disability Employment Awareness Month. Mayor Nelson congratulated Ellen Perry on receiving a volunteerism award and congratulated Marty Ravellette for saving an elderly woman's life when he had to kick-in the window of the vehicle in which she was trapped in.

COMMENTS IN MEMORY OF HANK ANDERSON

Mayor Nelson and the members of the Board of Aldermen made comments in memory of Alderman Hank Anderson who passed away on October 17, 1998.

APPROVAL OF MINUTES

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE OCTOBER 13, 1998 MINUTES. VOTE: AFFIRMATIVE ALL

BALDWIN PARK WATER FOUNTAIN

The Board of Aldermen appropriated \$3,000 toward installing a water fountain for Baldwin Park per the Lloyd Street Neighborhood Association's request. During budget deliberations, the Board asked that more precise costs be brought before them and that the Mayor contact OWASA to ask if their fees could be reduced. The purpose of this item was for the Board to review the actual costs and authorize that this work take place.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO AUTHORIZE THE ADMINISTRATION TO PROCEED WITH INSTALLATION OF THE WATER FOUNTAIN AT BALDWIN PARK FOR A TOTAL COST OF \$4,643, AND THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE," BE ADOPTED WHICH TRANSFERS \$1,643 FROM THE CONTINGENCY FUND TO GOVERNANCE. VOTE: AFFIRMATIVE ALL

BUDGET AMENDMENT/NARCOTICS INVESTIGATIONS

The purpose of this agenda item was to amend the 1998-99 fiscal year budget to appropriate \$4,275 in fund balance reserved for the Police Department as required by law.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE" WHICH APPROPRIATES \$4,275 IN FUND BALANCE RESERVED FOR THE POLICE DEPARTMENT'S ONGOING NARCOTICS INVESTIGATIONS. VOTE: AFFIRMATIVE ALL

REQUEST TO SET SPECIAL BOARD MEETING

The Board of Aldermen was requested to set a special meeting for Monday, November 2, 1998 to finalize review of the ordinance implementing the Northern Study Area Small Area Plan.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO SET A SPECIAL MEETING FOR NOVEMBER 2, 1998. VOTE: AFFIRMATIVE ALL

BUDGET AMENDMENT/SCHOOL IMPACT FEES/CAROLINA SPRING SENIOR APARTMENTS

The purpose of this agenda item was to amend the 1998-99 fiscal year budget to appropriate funds reserved for school impact fees associated with the Carolina Spring Senior Apartment Complex.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE," WHICH APPROPRIATES \$159,352 TO REIMBURSE THE DEVELOPER OF CAROLINA SPRINGS SENIOR APARTMENT COMPLEX FOR IMPACT FEES PREVIOUSLY PAID TO THE TOWN. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (SPALT)

STATUS REPORT ON SHAPING ORANGE COUNTY'S FUTURE PROJECT

The Board of Aldermen received the first of a series of bi-monthly status reports from Marty Mandell, a member of the Task Force for Shaping Orange County's Future project.

Marty Mandell stated that a Synthesis Report had been prepared which provides the framework within which all previously identified issues can be viewed. The work group which prepared the Synthesis Report created a framework of eight comprehensive focus areas: Economic Vitality and Quality; Managing Growth and Development; Transportation Issues; Environment and Natural Resources; Responsive Governance and Quality Public Services; Quality Community Life and Participation; Basic Human Needs, Services and Issues; and Diverse Educational Needs. The Synthesis Report also specifies major forces and trends propelling and limiting change in Orange County. Before recommendations are generated the Task Force will create and analyze alternative scenarios for the future. These scenarios and their analysis will be used as a basis for generating a set of recommendations.

Alderman McDuffee expressed concern about the community remaining affordable and requested that this be addressed by the task force.

Ms. Mandell stated that there is a feeling by the task force that there is under-representation by Northern Orange County, there is a misunderstanding about government control, and there is feeling that if you have environmental protection, you lose your economic value. Ms. Mandell stated these issues need in-depth discussion by the task force. Ms. Mandell stated that she would like to hold meetings with Carrboro citizens to discuss these issues also.

Mayor Nelson expressed concern that the finished project was not going to have an "edge".

Alderman Zaffron stated that a recent survey of the community revealed that affordability is at the top of list of concerns.

Alderman Spalt stated that it was very important to have meetings in Carrboro that citizens can participate in.

WORKSESSION/PARTS 3 AND 4/ORDINANCE TO IMPLEMENT THE NORTHERN STUDY AREA SMALL AREA PLAN

Trish McGuire, the town's Planner, presented Parts 3 and 4 of a four-part presentation on the elements of the ordinance to implement the Northern Study Area Small Area Plan.

Ms. McGuire reviewed Sections 6 (density bonus incentives for a developer to construct "affordable housing"), Section 17 (requiring sketch plans for major subdivisions prior to formal cup application submission), Section 20 (prohibiting clear-cutting in the identified area), Section 23 (deletion from Appendix E two plant species that are considered "invasive", Section 24 (adds to Appendix E a list of "invasive plant species" that should be avoided when a developer provides shading or screening), and Section 25 (establishes a transition advisory committee).

Jay Bryan, a member of the SAP Ordinance Drafting Committee, stated that the committee has some questions and concerns about the proposed amendments. Mr. Bryan stated that the SAP Ordinance Drafting Committee would try to have its comments on the proposed amendments to the Board by November 2nd.

Ms. McGuire summarized a table of work items selected by the town staff and SAP Ordinance Drafting Committee at the inception of the Committee. Updates on the progress of these items were presented to the Board of Aldermen in January and March of this year. Also presented were references to that portion or portions of the plan in which the policy is included and the proposed implementation method, if any.

Ms. McGuire stated that the Orange County Planning Board will review the proposed amendments on November 11th.

Mayor Nelson encouraged all Board members to attend the Orange County Planning Board meeting when the ordinance is discussed.

SELECTION OF NEIGHBORHOOD REPRESENTATIVE FOR B-2 ZONE STEERING COMMITTEE

The Board of Aldermen was requested to select a citizen representative to participate on the B-2 Steering Committee.

The Board asked the town staff to post a notice in the B-2 neighborhood advertising this position, that a notice be placed on the cable t.v. community bulletin board channel, and in newspaper for two weeks. In addition, the Board requested that letters be sent to the individuals listed in tonight's agenda item asking if they would be interested in serving.

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE AMENDMENT/JUNKED CARS

The Board of Aldermen was asked to consider setting a public hearing to remove a provision of the land use ordinance dealing with motor vehicles that are neither licensed nor operational that have been deemed duplicative within the city limits and unnecessary in the town's planning jurisdiction.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO SET PUBLIC HEARING FOR DECEMBER 1, 1998. VOTE: AFFIRMATIVE ALL

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.

Alderman Gist requested that this item be rescheduled for a meeting when the Town Manager is present.

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.

Mayor Nelson stated that Chatham County wants to be able to take water out of Jordan Lake, so they requested that an arrangement be worked out for them to be able to do that.

Alderman Zaffron stated that subsequent conversations were held relating to providing assistance to Chatham County and mutual land use interests between southern Orange County and Chatham County. Chatham County was interested in pursuing such an arrangement.

Mayor Nelson suggested that OWASA be directed to work out some cooperative arrangement with Chatham County. There are land use considerations that should be worked out with Chatham County concerning zoning changes to protect the water. And, that an arrangement be worked out to share water with Chatham County in times of water shortage, but not on an ongoing basis.

Alderman Gist stated that she is interested in being a good neighbor to Chatham County, but is not interested in doing anything to make it look like Carrboro is trying to manipulate their land uses.

Alderman Spalt stated that the town should use this opportunity as a way to cooperate to plan our future.

The Board requested that Mayor Nelson draft a letter for the Board's review that captures the Board's comments.

APPOINTMENT OF MAYOR PRO TEM

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO NOMINATE HILLIARD CALDWELL TO SERVE AS MAYOR PRO TEM. VOTE: AFFIRMATIVE ALL

REQUEST FOR PRESENTATION/YEAR 2000 COMPLIANCE

Mayor Nelson stated that he had met with a Year 2000 compliance expert and suggested that the Board might wish to hear his presentation.

The Board requested that the Agenda Planning Committee schedule a presentation.

ORANGE COUNTY ENVIRONMENTAL DEPARTMENT

The Board requested that Mayor Nelson draft a letter to the Chair of the Orange County Board of Commissioners supporting the County's effort to set up an Environmental Department, but requesting information on the funding mechanism and what financial impact that will be on Carrboro citizens.

Alderman Spalt stated that he had received an information packet on this new department from Orange County that he would have copied to the Board.

APPOINTMENT TO OWASA BOARD OF DIRECTORS

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO APPOINT SUSIE HOLLOWAY TO SERVE ON THE OWASA BOARD OF DIRECTORS. VOTE: AFFIRMATIVE ALL

PROCESS FOR FILLING ALDERMAN ANDERSON'S SEAT

The Board agreed to submit to the Town Clerk questions that they would like to have included on the application form. In addition, the Board requested that the Town Manager prepare a schedule outlining the appointment process for review by the Board at its meeting on November 17th.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JACQUELYN GIST TO DELAY FOR 30 DAYS ACTION ON FILLING ALDERMAN ANDERSON'S SEAT ON THE BOARD OF ALDERMEN. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (MCDUFFEE, NELSON)

RAILROAD CROSSING GATE ON MAIN STREET

Alderman Zaffron requested that the town staff contact Norfolk Southern Railroad to request that the crossing gate on E. Main Street be repaired.

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY ALEX ZAFFRON TO ADJOURN THE MEETING AT 10:15 P.M. VOTE: AFFIRMATIVE ALL



Mayor



Town Clerk