

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 10, 1998 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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|---------------|---------------------|
| Mayor | Michael Nelson |
| Aldermen | Hilliard Caldwell |
| | Jacquelyn Gist |
| | Diana McDuffee |
| | Allen Spalt |
| | Alex Zaffron |
| Town Manager | Robert W. Morgan |
| Town Clerk | Sarah C. Williamson |
| Town Attorney | Michael B. Brough |

SELECTION OF POLICE CHIEF

Mr. Morgan announced that Captain Carolyn Hutchison had been selected as the town's new Police Chief. Mr. Morgan stated that the swearing in ceremony would be held on Tuesday, November 17th at 10:00 a.m. in the Town Hall Board Room.

REQUEST FOR BUDGET AMENDMENT/CARRBORO BUSINESS ASSOCIATION

Joan Blackand, vice-president of the Carrboro Business Association, presented a draft of walking/dining/shopping brochure for Carrboro. Ms. Blackand stated that the business association is also planning an open house on December 3-5 in conjunction with the tree lighting ceremony. Ms. Blackand. stated that they would like to have the trolley available during the open house, and asked that the town contribute \$300 to pay for the trolley.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON TO ALLOCATE \$300 FROM CONTINGENCY FOR THE TROLLEY. VOTE: AFFIRMATIVE ALL

REQUEST FOR FENCE AT LEASH-FREE AREA/ANDERSON COMMUNITY PARK

Joy Presslar presented a revised proposal to have a fence installed around those portions of the leash-free area at the Anderson Community Park adjacent to Highway 54 and the entrance drive to the park.

It was the consensus of the Board to place this matter on the 1999 Planning Retreat agenda for discussion and that the town staff be directed to set up an account to collect the funds for this project.

CHARGES ISSUED

The Town Clerk issued charges to Stanley Babiss, a recent appointee to the Planning Board, and to Susie Holloway, a recent appointee to the Orange Water and Sewer Authority.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE OCTOBER 27 AND NOVEMBER 2, 1998 MINUTES. VOTE: AFFIRMATIVE ALL

AWARD OF BID FOR PURCHASE OF POLICE VEHICLES

The administration recommended that the bid for the purchase of four police vehicles be awarded to University Ford of Chapel Hill for a total cost of \$84,355.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO AWARD THE BID TO UNIVERSITY FORD FOR A TOTAL COST OF \$84,355. VOTE: AFFIRMATIVE ALL

Alderman Zaffron questioned why the town received only one bid.

Kathy Duncan, the town's Purchasing Officer, stated that proposals were sent to 15 dealers along with advertisements in three newspapers.

REQUEST TO SET PUBLIC HEARING/VOLUNTARY ANNEXATION/600 SMITH LEVEL ROAD

James and Nancy Hodgin have submitted a petition requesting annexation of the property located at 600 Smith Level Road into the Carrboro town limits. This property houses the Rock Haven Centre and consists of 4.78 acres. The administration recommended adoption of a resolution setting a public hearing on this request for December 1, 1998.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Diana McDuffee.

**A RESOLUTION SETTING A PUBLIC HEARING TO
CONSIDER THE ANNEXATION OF
ROCK HAVEN CENTRE
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 14/98-99**

WHEREAS, the Town of Carrboro has received a petition from the owners of the Rock Haven Centre 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 December 1, 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 19th day of November, 1998:

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

Noes: None

Absent or Excused: None

RESOLUTION REQUESTING THE U.S. GOVERNMENT TO GRANT A WAIVER OF DEPORTATION TO JOSE FEDERICO CAMPOS

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Diana McDuffee.

**A RESOLUTION REQUESTING THE U.S. GOVERNMENT TO
GRANT A WAIVER OF DEPORTATION TO
JOSE FEDERICO CAMPOS
Resolution No. 15/98-99**

WHEREAS, Mr. Jose Federico Campos is a positive, contributing member of our community; and

WHEREAS, by all accounts, Mr. Campos is a person of outstanding moral character, a hard and honest worker, and a decent and loving family man; and

WHEREAS, Mr. Campos' deportation from the United States has caused extreme hardship to not only his five children and other family in the State of North Carolina, but also to our entire community; and

WHEREAS, Mr. Campos' speedy reunification with his family in Chapel Hill, North Carolina is the only humane and sensible option for his family and our community.

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

Section 1. The Mayor and Board of Aldermen hereby request that the Government of the United States immediately grant a waiver of deportation to Mr. Jose Federico Campos.

Section 2. A copy of this resolution shall be sent to President Bill Clinton, Governor Hunt, Senator Helms, Senator Faircloth, and Senator-Elect Edwards.

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 10th day of November, 1998:

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

Noes: None

Absent or Excused: None

Alderman Gist requested that a copy of this resolution be forwarded to Mr. Campos' attorney.

Alderman Gist read a letter into the record a letter for the Mayor's signature, which shall accompany the resolutions to President Clinton, Governor Hunt, Senator Helms, Senator Faircloth, and Senator-Elect Edwards

Alderman Gist requested that a copy of this letter be faxed to Mayor Waldorf.

RELIEF FUND FOR HURRICANE MITCH VICTIMS

Mayor Nelson asked the citizens of Carrboro to contribute funds to assist the victims of Hurricane Mitch, and asked for authorization for the town to receive those funds on behalf of CITCA.

HILLSBOROUGH ROAD IMPROVEMENTS

Alderman Zaffron gave an update on the Hillsborough Road improvement project. Alderman Zaffron stated that NCDOT has stated that this project (Project U-3100) will be delayed due to lack of funding. Senator Kinnaird has arranged a meeting for Friday, November 13th with the Secretary of Transportation, town officials and school system officials to discuss the importance of this project and to encourage that it be put back on track.

REPORT FROM ENVIRONMENTAL ADVISORY BOARD

The purpose of this item was to receive a report from Randy Dodd, a member of the Environmental Advisory Board, concerning stream buffers.

Mr. Dodd reviewed a report dated September 17, 1998 suggesting revisions to the town's land use ordinance dealing with stream buffers. Mr. Dodd presented a copy of "Site Planning for Urban Stream Protection" published by the Metropolitan Washington Council of Governments and made a copy of 22 development principles available.

Giles Blunden commented on how these recommendations could be considered in relation to the ordinance implementing the Northern Small Area Plan.

It was the consensus of the Board to discuss this report following completion of the ordinance implementing the Northern Small Area Plan.

REPORT ON FORMATION OF ORANGE COUNTY LAND TRUST

At the request of the Board of Aldermen, Alison Weiner presented a report on the formation of a land trust for Orange County.

Ms. Weiner stated that a community land trust (CLT) is a tool that allows for the long-term affordability of housing by owning the land upon which the housing is built. The purchasers of the homes sign a land lease agreement with the CLT and pay a nominal lease fee each month. The CLT is governed by a volunteer board of directors that includes residents of the land trust, interested members of the community, and professionals that can provide expertise to the mission and tasks of the CLT.

Ms. Weiner stated that the Chapel Hill Land Trust Implementation Task Force was making the following recommendations:

1. That the establishment of a Community Land Trust (CLT) is a long-term commitment to the community and the residents it serves.
2. A CLT should be established to serve all of Orange County.
3. The CLT will be a non-profit 501 (c)3 membership organization that will have a volunteer Board of Directors. It will not have staff initially but will contract Orange Community Housing Corporation to implement its tasks.
4. The initial Board of Directors for the CLT shall include potential homeowners, community members, and a representative from each of the governments within the County.
5. The initial tasks of the land trust will be implemented as follows:
 - Policy: Board of Directors
 - Administration: OCHC
 - Pre-development and Development of Land and Housing: non-profit housing developers
 - Education and Outreach: Board of Directors and OCHC
6. The first project will be Scarlette Drive in Chapel Hill. With the assistance of the Town of Chapel Hill, the pre-development of Scarlette Drive is presently being carried out by Orange Community Housing Corporation. Committing the project to the CLT can be included in this phase, and can provide a great start for the implementation of the CLT.
7. The Board will work closely with the staff of all participating governments and the emerging county housing coalition to develop future land trust projects.
8. The Task Force, having completed its work, will become the Steering Committee for the CLT. This committee will be responsible for developing expertise on the CLT model and for organizing the CLT, developing the Bylaws, Articles of Incorporation, Lease and Resale Formula and educating the private and public sectors.
9. Upon acceptance of the Task Force recommendations, the participating governments shall make staff, facilities, and resources available, as they are able, at the request of the CLT Steering Committee.
10. It is requested that the CLT be included in the revised Chapel Hill Comprehensive Plan and Shaping Orange County's Future proposal.

The Board requested that the town staff prepare a resolution for the Board's consideration approving the Chapel Hill Land Trust Implementation Task Force recommendations.

REPORT ON DEVELOPMENT REVIEW PROCESS

The purpose of this item was to describe the development review processes undertaken by the town and to receive comments from the Board of Aldermen.

Alderman Gist stated that she had received complaints from citizens that the town inspectors and zoning officers are causing them great expense because the town employees are not giving them a comprehensive list of items that need attention. They are given a list of items, those items are taken care of, and then the town staff comes up with additional items that have to be taken care of causing additional expenses. Alderman Gist suggested that citizens be given a detailed list of requirements to meet the town's needs so that they don't have to keep coming back numerous times.

Alderman McDuffee stated that she had received a complaint from a citizen that a member of the town staff had tried to require a homeowner to correct a problem when the problem was the developer's responsibility. Other comments received are that people who are not professional developers are given a hard time by the town staff and not treated very well in getting through the process.

Alderman Caldwell stated that at a board meeting for one of the largest financial institutions in this area last week, he was told of similar experiences.

The Board requested a report from the town staff on recommendations for correcting the problems.

Roy Williford, the town's Planning Director, asked that the Board members discuss with him the specific instances so that he can respond to the problems.

Alderman Spalt suggested that all parties involved in the development process meet together to discuss with the developer all requirements at the same time.

Mike Brough explained that the requirements of the building code are very different from the zoning process. Mr. Brough urged the Board members to give the town staff specifics on complaints.

REQUEST FOR MEETING WITH CHANCELLOR HOOKER

Alderman Caldwell gave a status report on the recent PPP meeting, which included discussion of the increase in enrollment at UNC-Chapel Hill.

The Board requested that the Mayor arrange a meeting with Chancellor Hooker to discuss the impact of increased student enrollment at UNC-Chapel Hill on the services of the town. Aldermen McDuffee and Spalt expressed their desire to participate in these discussions.

REQUEST FOR REPORT ON USE OF COUNTY PARK BOND FUNDS

The Board requested a report from the Recreation and Parks Director on potential requests for use of a portion of Orange County's park bond funds.

LOCATION OF BANDSTAND AND PLAYGROUND/TOWN COMMONS

Alderman Spalt stated that the bandstand committee had met and are recommending that the playground be located to the rear of the property adjacent to the fence, and that the bandstand be located at the intersection of the market sheds for general use. In addition, that provisions be made for a temporary stage where the Squirrel Nut Zippers' stage was located.

Alderman McDuffee suggested a joint purchase of a portable stage that the governmental units might share use of.

REVISED SCHEDULE FOR CONTRUCTION OF NEW MIDDLE SCHOOL

Alderman Spalt stated that the revised schedule provided by the town's planning department for construction of the new middle school appears to meet the school system's timetable.

QUARTERLY FINANCIAL REPORT

The Board thanked the town staff for providing the quarterly financial report and personnel report and suggested that the Board discuss the financial report at the November 17th board meeting.

MEETING OF ORANGE COUNTY PLANNING BOARD

Alderman Zaffron encouraged the Board members to attend the Orange County Planning Board's meeting scheduled for November 11th at which time the town's Northern Small Area Study Plan ordinance amendment will be discussed.

DISCUSSION OF IN-FILL PROJECTS

Alderman Zaffron requested that the Board discuss the requirements of the land use ordinance on small in-fill projects following completion of the Northern Small Area Plan.

AMENDMENT TO ORDINANCE IMPLEMENTING THE NORTHERN STUDY AREA SMALL AREA PLAN

Mayor Nelson proposed that a new subsection (f) be added to Section 15-182.4 of the ordinance implementing the Northern Study Area Small Area Plan to state: That affordable housing units constructed in accordance with this section shall be placed into a land trust or similar mechanism to ensure affordability.

Alderman Zaffron suggested the following language: That in order to secure the bonuses, one must meet the sales price criteria for the affordable units as otherwise outlined, or may demonstrate an arrangement with a third party who would construct such housing to meet those criteria and/or provide a mechanism to ensure future affordability.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALLEN SPALT THAT SUBSECTION 15-182.4 BE AMENDED TO ADD A NEW SUBSECTION (F) TO STATE: THAT AFFORDABLE HOUSING UNITS CONSTRUCTED IN ACCORDANCE WITH THIS SECTION SHALL BE PLACED INTO A LAND TRUST OR SIMILAR MECHANISM TO ENSURE AFFORDABILITY. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (ZAFFRON, MCDUFFEE)

EVALUATION PROCESS FOR TOWN MANAGER

Alderman Spalt distributed information he had received from ICMA outlining job descriptions for Town Managers, which could be used as a benchmark during the manager's evaluation process. Alderman Spalt stated that he would like the results of former evaluations. Alderman Spalt stated that the Institute of Government had suggested a discussion of mutual expectations between the Board and Manager and how each can help the other carry out their duties.

Mayor Nelson stated that there are no written post evaluation documents for the Board's use, but that written evaluations would be a part of this year's evaluation process.

Mayor Nelson stated that the evaluation would be performed on November 17th.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HILLIARD CALDWELL TO ADJOURN THE MEETING AT 10:45 P.M. VOTE: AFFIRMATIVE ALL
