

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 16, 1999 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	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

### **REQUEST FOR PORTABLE ICE CREAM CONCESSION**

Vivian Ulcan, co-owner of The Inside Scoop, asked for assistance in operating a portable ice cream concession on the site of Village Landscaping on Weaver Street.

The Board requested that the town staff prepare a report on this matter.

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### **DISPLAY OF SCOTT STEWART ART**

Joy Presslar, on behalf of the friends and family of Scott Stewart, thanked the town for allowing Scott's work to be displayed in the town hall, and asked for permission to put a sign up indicating that donations to Scott's memorial fund can be directed to the ArtsCenter.

The Board authorized the Arts Committee to post a sign in the Town Hall lobby stating that donations for the Scott Stewart Memorial Fund can be made to the ArtsCenter.

Alderman Gist requested that a few pieces of Mr. Stewart's work be included in this year's Carrboro Day celebration.

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### **APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE FEBRUARY 9, 1999 MINUTES, AS AMENDED. VOTE: AFFIRMATIVE ALL

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### **BUDGET AMENDMENT**

The Mayor and Board of Aldermen were requested to transfer \$500 from contingency to governance support to correct an oversight in funding the 8<sup>th</sup> Grade Graduation Celebration for Fiscal Year 1998-99 as earlier approved by the Board of Aldermen.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY'98-99 BUDGET ORDINANCE."  
VOTE: AFFIRMATIVE ALL

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**APPOINTMENT TO ORANGE COUNTY HUMAN RELATIONS COMMISSION**

There are two seats on the Orange County Human Relations Commission designated for Carrboro representatives. One of those seats is currently vacant. The town has received an application from Karen Archia expressing interest in serving in this capacity. The Board is requested to consider recommending to the County Commissioners that Ms. Archia be appointed as one of the town's representatives on the Human Relations Commission.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO RECOMMEND TO THE ORANGE COUNTY BOARD OF COMMISSIONERS THAT KAREN ARCHIA BE APPOINTED TO SERVE AS ONE OF THE TOWN'S REPRESENTATIVES ON THE ORANGE COUNTY HUMAN RELATIONS COMMISSION. VOTE: AFFIRMATIVE ALL

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**CERTIFICATE OF APPRECIATION PRESENTED**

Mayor Nelson presented a certificate of appreciation to Christine Taylor for her contribution to the town while serving on the town's Human Services Commission.

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**REQUEST TO MODIFY ARCADIA'S PROPOSED DRAINAGE PLANS**

Keith Lankford, the town's Zoning Administrator, presented a report on the request made by the Arcadia Co-Housing Community for a deviation in the town's drainage requirements.

Mr. Lankford stated that the request to reduce a proposed 15-inch pipe with a 12-inch pipe between the first two drop inlets would be acceptable from a stormwater capacity point of view. However, while this 12-inch pipe may be capable of carrying the amount of water that it will collect, it must be noted that there is a greater risk of a 12-inch pipe becoming blocked than there is with a 15-inch pipe

Mr. Lankford stated that additional information would need to be provided to the Town Engineer so that a determination can be made as to the adequacy of the request to replace the proposed 18-inch pipe at the end of the drainage system with four 12-inch pipes.

Alderman McDuffee expressed concern about this request setting a precedent.

Giles Blunden stated that Arcadia is a homeowners association and they are doing this work for themselves. Mr. Blunden stated that they are using the fore bay to spread the water out. Mr. Blunden urged the Board to approve the request. Mr. Blunden stated that if the fore bay overflows, it would overflow into the stream below it. Mr. Blunden stated that the Arcadia Homeowners Association would take responsibility for any liability.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALLEN SPALT TO APPROVE THE REQUEST MADE BY THE ARCADIA CO-HOUSING COMMUNITY FOR A DEVIATION IN THE

TOWN'S DRAINAGE REQUIREMENTS TO REPLACE A 15-INCH PIPE WITH A 12-INCH PIPE BETWEEN THE FIRST TWO DROP INLETS, AND TO REPLACE AN 18-INCH PIPE AT THE END OF THE DRAINAGE SYSTEM WITH FOUR 12-INCH PIPES. THIS DEVIATION IS APPROVED WITH THE CONDITION THAT THE DRAINAGE SYSTEM WILL BE EXAMINED IN 18-MONTHS TO ENSURE IT IS WORKING CORRECTLY AND, IF NOT, ARCADIA CO-HOUSING WILL BE RESPONSIBLE FOR MEETING THE TOWN'S ENGINEER'S REQUIREMENTS FOR THE DRAINAGE SYSTEM. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (MCDUFFEE)

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### **REPORT FROM RECREATION COMMITTEE FOR AT-RISK YOUTH**

The culmination of meetings of the Recreation Committee for At-Risk Youth has lead to the development of a report of findings and recommendations addressing the needs of at-risk youths. That report was presented to the Mayor and Board of Aldermen.

Wendell Rodgers, a Carrboro Recreation Supervisor, presented a report from the Recreation Committee for At-Risk Youth. Mr. Rodgers stated that the committee identified the following issues: lack of facilities, transportation to facilities and programs, shortage of mentors, marketing methods to reach at-risk youth, staff shortages, life skills training, increase youth job opportunities, multicultural at-risk needs, fewer programs for adolescent females, and interagency cooperation. The Committee made the following recommendations:

- ⇒ Increase collaboration with other agencies;
- ⇒ Fund new and existing programs; and
- ⇒ Acquire more facility usage opportunities.

Alderman Gist stated that the Recreation Committee would present this report to the Chapel Hill-Carrboro City School Board for At-Risk Youth.

Alderman McDuffee stated that she feels the town should offer more opportunities for soccer at the town parks.

Alderman Zaffron suggested that better usage of county buildings be pursued.

Alderman Spalt stated that some of the recommendations would be costly expenditures.

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY JOAL HALL BROUN THAT THE REPORT BE RECEIVED, AND THAT ALDERMEN GIST AND MCDUFFEE BE AUTHORIZED TO PRESENT THE REPORT TO THE SCHOOL BOARD. IN ADDITION, THAT ALDERMEN GIST AND MCDUFFEE BE AUTHORIZED TO PREPARE AN IMPLEMENTATION PLAN. VOTE: AFFIRMATIVE ALL

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### **OPEN SPACE TOUR**

The Board of Aldermen had requested a tour of open space areas within the jurisdiction of the Town of Carrboro. The Zoning Division, with the aid of Alderman Gist, generated a proposed list of specific open space areas that the Board may wish to visit. The administration recommended that the Board direct the staff as to which sites they wish to visit and to determine a suitable date (and alternative rain date) for the open space tour.

The Board scheduled the open space tour for February 27<sup>th</sup> following their legislative breakfast, which begins at 8:30 a.m. In addition, the Board expressed its desire to start the tour with Kent Woodlands and then proceed to Lake Hogan Farms, followed by the Cedars, Quarterpath Trace and Bel Arbor.

Alderman Caldwell stated that he would be out of town on February 27th.

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**PRESENTATION AND DISCUSSION/ARCHITECTURAL REQUIREMENTS AND NORTHERN STUDY AREA ORDINANCE**

Trish McGuire presented a summary of the architectural requirements, including the “Vernacular Architectural Standards for Village Mixed-Use and Affordable Housing,” that are incorporated in the ordinance that have been drafted to implement the recommendations of the “Facilitated Small Area Plan for Carrboro’s Northern Study Area” (NSA Ordinance). Its purpose is to provide an opportunity for the Board of Aldermen to select those provisions of the ordinance, including the architectural standards, it desires to include in the final draft of the ordinance. In conjunction with that determination, the Administration recommended that the Board of Aldermen set a public hearing to review the FINAL DRAFT of the NSA Ordinance.

Giles Blunden stated that the townhouses in Robeson Place would meet the proposed architectural standards except for the garages on the front.

It was the consensus of the Board to amend the language of Section 15-176.2(f)(4)(m) to state:

“(m) Materials in the exterior of buildings surrounding the greens shall be limited to a diversity of brick textures and colors, with wood being subject to the approval of the Appearance Commission. Awnings are encouraged. Commercial grade windows and doors shall be used, with wood encouraged, and other materials being subject to review by the Appearance Commission and approval by the permit-issuing authority.”

It was the consensus of the Board to amend Section 15-136, subsection (11)(e)3 to read as follows:

“3. Windows must be of a scale and proportion typical of single-family residences.”

Mayor Nelson asked that the minutes reflect that Section 15-136, subsection (11) (e) 3 (Windows shall be of a type commonly used in single-family residences) refer back to single family residences in general.

It was the consensus of the Board to use 35% as the percentage of the annual median income level for a family of our in the Raleigh-Durham-Chapel Hill Metropolitan Statistical Area under the definition of affordable housing.

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY ALEX ZAFFRON TO DELETE “AUTO RELATED USES” FROM SUBSECTION 15-176.2(c)(1). VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (NELSON, GIST)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY HILLIARD CALDWELL TO AMEND THE LANGUAGE OF SECTION 15-27(B) TO LIMIT THE TERMS OF THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE TO TWO, 3-YEAR TERMS. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CADLWELL TO SET A PUBLIC HEARING FOR MARCH 23, 1999 ON THE REVISED NORTHERN STUDY AREA

IMPLEMENTATION ORDINANCE, THAT THE ORDINANCE BE REFERRED TO THE ORANGE COUNTY BOARD OF COMMISSIONERS FOR REVIEW AND CONSIDERATION, AND THAT THE ORDINANCE BE REFERRED TO THE TOWN'S ADVISORY BOARDS FOR CONSIDERATION. VOTE: AFFIRMATIVE ALL

The Board approved the following schedule of steps needed to complete the Facilitated Plan Implementation Strategy:

February 9, 1999 (Board of Aldermen) Adopts Commissioners' Joint Planning resolution by reference (or revised resolution) and identifies additional desired revisions to draft ordinance and supporting materials.

February 10, 1999 to March 23, 1999 (Chapel Hill Town Council) Adopts revised Joint Planning resolution.

February 16, 1999 (Staff) Presentation to the Board of Aldermen on the Vernacular Architectural Standards. Selection of provisions for inclusion in the FINAL DRAFT of the NSA ordinance. Set a public hearing for review of FINAL DRAFT. Suggested hearing date: March 23 1999. Place on schedule for March Joint Review.

February 17-23, 1999 (Staff) Submit revised version of draft ordinance to Orange County for 30-day comment period. Prepare legal advertisement and submit to newspaper.

March 3, 1999 (Board of County Commissioners) Regular meeting scheduled at New Courthouse. Possible date of presentation on NSA ordinance prior to the proposed date of the public hearing.

March 16, 1999 (Board of County Commissioners) Regular meeting scheduled at Southern Human Services Center. Possible date of presentation on NSA ordinance prior to the proposed date of the public hearing.

March 23, 1999 (Board of Aldermen) Holds a public hearing on revised NSA ordinance and possibly vote on ordinance. The Board of Aldermen would like to invite the Board of County Commissioners to attend this public hearing.

March 30, 1999 (Board of Aldermen and Board of County Commissioners) Tentative date for joint meeting to review provisions of NSA ordinance following proposed date of the public hearing.

[Remainder of the schedule for adoption of the ordinance and protocol for implementation to be worked out at the March 30<sup>th</sup> joint meeting between the Board of Aldermen and County Commissioners.]

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### **APPOINTMENT TO OWASA BOARD OF DIRECTORS**

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY JACQUELYN GIST TO APPOINT JOHN SMITH TO SERVE AS ONE OF THE TOWN'S OWASA REPRESENTATIVES. VOTE: AFFIRMATIVE ALL

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### **WORKSESSION/LONG-TERM PLANNING STRATEGIES**

Alderman McDuffee stated that at the 1999 Planning Retreat the Board had discussed setting aside time to discuss long-term planning strategies. A plan for development of downtown, an economic task force for information technology development and Vision 2020 should be discussed at this worksession.

The Board set a worksession for March 16<sup>th</sup> to discuss the plan for development of the downtown, economic task force for information technology development, and Vision 2020.

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**MERRITT MILL SQUARE**

The Board requested that the town staff's report on Merritt Mill Square be placed on the Board's February 23<sup>rd</sup> agenda.

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**STATUS REPORT ON SMITH LEVEL ROAD IMPROVEMENTS**

Tom High requested a clarification on proposed improvements to Smith Level Road.

The Board requested a status report on the Smith Level Road improvement project. The Board requested that a copy of this report be sent to Tom High

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MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY JACQUELYN GIST TO ADJOURN AT 10:55 P.M. AFFIRMATIVE ALL

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Mayor

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Town Clerk