

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 23, 1999 at 7:30 PM 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 ATTORNEY	Michael B. Brough
DEPUTY TOWN CLERK	James E. Spivey

APPROVAL OF MINUTES OF PREVIOUS MEETING: FEBRUARY 16, 1999

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO APPROVE THE FEBRUARY 16, 1999 MINUTES AS WRITTEN. VOTE: AFFIRMATIVE ALL.

BUDGET AMENDMENTS

The administration recommended that the Board of Aldermen adopt a budget amendment, which provided for the following:

- * Transfer of non-departmental funds to operating accounts for service level benefits;
- * Transfer of non-departmental funds to operating accounts for dependent health insurance coverage;
- * Transfer of non-departmental funds to operating accounts for merit increases;
- * Transfer of non-departmental funds to operating accounts for across-the-board increases;
- * Appropriation of funds for prior year encumbrances; and
- * Transfer of funds from contingency for the CP&L Technical Consultant.

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

APPOINTMENTS TO ADVISORY BOARDS

The Board of Aldermen considered making appointments to the town's advisory boards for terms that expire this month. The Chairs of the various boards were sent rosters of their boards, were requested to review all applications for their respective boards, and were requested to submit recommendations for appointments.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON THAT THE FOLLOWING TOWN ADVISORY BOARD APPOINTMENTS BE MADE:

BOARD	APPOINTEE	TYPE OF TERM
Board of Adjustment	Frank Hammill	ETJ*

Board of Adjustment	Greg Shepard	In-Town
Board of Adjustment	Richard Ellington	In-Town
Planning Board	Stanley Babiss	In-Town
Planning Board	James Bateson	Transition Area*
Appearance Commission/NPDC	Wendy Wenck	N/A
Transportation Advisory Board.	William Robinson	N/A
Transportation Advisory Board.	Shirley Marshall	N/A
Recreation & Parks Commission	Marianne Nicholson	In-Town
Recreation & Parks Commission	James Kempe	In-Town
Cable T.V. Committee	Steve Small	N/A
Cable T.V. Committee	Paul Sherry	Chapel Hill Time Warner
Cable T.V. Committee	Ronald Gallagher	N/A
Cemetery Commission	Shelton Sparrow	N/A
Cemetery Commission	Herman Wilson	N/A
Downtown Development Commission	Mariana Fiorentino	N/A
Downtown Development Commission	James Morgan	N/A
Downtown Development Commission	Laurie Actman	N/A
Environmental Advisory Board.	Keith Burwell	N/A
Environmental Advisory Board.	Maura High	N/A

*The Orange County Board of Commissioners appoints these positions.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Alex Zaffron.

A RESOLUTION REQUESTING AN APPOINTMENT TO AN EXTRATERRITORIAL PLANNING JURISDICTION SEAT ON THE CARRBORO BOARD OF ADJUSTMENT

Resolution No. 26/98-99

WHEREAS, as a result of a term expiration, it is necessary to appoint a person to a seat reserved on the Carrboro Board of Adjustment for persons residing within the town's extraterritorial planning jurisdiction; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint extraterritorial planning jurisdiction members to the town's Board of Adjustment.

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 extraterritorial planning jurisdiction seat on the Carrboro Board of Adjustment whose term would expire in February, 2002:

Mr. Frank Hammill
2003 Camden Lane
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 23rd day of February, 1999:

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

Noes: NONE

Absent or Excused: NONE

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Alex Zaffron.

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

Resolution No. 25/98-99

WHEREAS, as a result of a term expiration, 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, 2002:

Mr. James Bateson
8105 Lair Court
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 23rd day of February, 1999:

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

Noes: NONE

Absent or Excused: NONE

ENGINEERING REPORT

Henry Wells of the Sungate Design Group, PA, the town's engineering firm, made a presentation regarding the site plan review process from an engineering prospective. Mr. Wells explained the process of a proposed development project goes through from the engineering firm's prospective. Mr. Wells presented examples of letters issued by the Sungate Design Group to developers regarding engineering issues/matters.

The Board received the presentation and directed staff to develop a process by which a meeting would take place with Henry Wells, Roy Williford, one (1) alderman, and one (1) builder to discuss the engineering review process.

BUDGET AMENDMENT/ENGINEERING

The purpose of this item was to request that the Board of Aldermen allocate additional funds (\$39,500) to cover anticipated engineering costs, including \$4,500 for the preparation of a site plan for the Laurel Avenue parking lot.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY '98-99 BUDGET ORDINANCE", WHICH ALLOCATES \$39,500 TO BUDGET LINE ITEM #10541.0900. VOTE: AFFIRMATIVE ALL.

REPORT ON MERRITT MILL SQUARE PROPERTY

The town staff made a presentation regarding the redevelopment of the Merritt Mill Square property.

The Board directed staff to continue to work with the owner of the property in his efforts to keep the units as single-room-occupancy (SRO) so that no evictions take place. The Board also requested that staff make periodic status reports regarding this matter.

DISCUSSION OF A LAND USE ORDINANCE TEXT AMENDMENT TO REQUIRE DEVELOPERS TO CONSTRUCT SOME SMALLER HOUSES

The Board of Aldermen considered a proposed ordinance amendment entitled, "An Ordinance Amending the Carrboro Land Use Ordinance to Require that at Least Twenty Percent of the Single Family Dwelling Units within any Residential Subdivision under a Special or Conditional Use Permit be 1,100 Square Feet or Less in Size."

The Board recommended that the proposed ordinance be amended as follows:

1. Add language that will give an example of what “heated space” is referred to in reference to total square footage.
2. That the percentage of dwelling units be increased to 40%.
3. That the square footage of the units be 850 square feet and 1,100 square feet.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN THAT A PUBLIC HEARING DATE BE SET FOR APRIL 13, 1999 TO CONSIDER THE ORDINANCE, “AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE THAT AT LEAST TWENTY PERCENT OF THE SINGLE FAMILY DWELLING UNITS WITHIN ANY RESIDENTIAL SUBDIVISION UNDER A SPECIAL OR CONDITIONAL USE PERMIT BE 1,100 SQUARE FEET OR LESS IN SIZE.” WITH THE FOLLOWING RECOMMENDED CHANGES:

1. Add language that will give an example of what “heated space” is referred to in reference to total square footage.
2. That the percentage of dwelling units be increased to 40%.
3. That the square footage of the units be 850 square feet and 1,100 square feet.

VOTE: AFFIRMATIVE ALL.

OPTIONS FOR INCLUDING BOARD FINANCIAL AND POLICY GOALS IN THE 1999-2000 BUDGET

Annually, as part of the budget process, the Board establishes financial goals and policy goals for inclusion in budget discussions and recommendations for the upcoming fiscal year. The purpose of this agenda item was to have the Board of Aldermen identify its financial and policy goals and to review two options for including these goals in the FY1999-2000 budget.

By consensus, the Board chose “Option #2 – Develop Budget Format That Incorporates a ‘No Tax Increase’ Budget” as the FY1999-2000 budget process.

By consensus, the Board directed the staff to develop a Manager’s Budget that will include all of the policy goals presented at the Staff Retreat by Mayor Nelson, all of the policy goals cited in **ATTACHMENT A** of the agenda abstract for this item, and to add \$10,000.00 to cover activities associated with the grand opening of the Town Center.

The Board directed staff to bring this matter back in late March or early April for the Board to prioritize.

Alderman McDuffee requested that the Board develop a way to use the Budget Review Committee during the budget process. She explained that vacancies exist on the Committee and need to be filled. It was suggested that these vacancies be announced at the Neighborhood Forum meetings.

DISCUSSION OF LEGISLATIVE ISSUES

The Board of Aldermen discussed possible legislation it would like to submit for consideration in this year's session of the General Assembly. From the discussion, the following list of items was developed:

- ✓ Homestead taxes
- ✓ Impact fee becoming an impact tax
- ✓ Increase local revenues options
- ✓ Options for increased funding of public transportation
- ✓ A hotel/motel tax
- ✓ "Sexual orientation" should be included in State hate crime legislation
- ✓ Clarification of issues regarding sales tax
- ✓ Regulation of pesticides
- ✓ Establish voting precincts on university campus for students
- ✓ Gun control
- ✓ Requirement for industries to implement zero waste plans to eliminate waste and pollution in the manufacture, use, storage, and recycling of materials
- ✓ Require producers of products to bare the burden of managing discarded products and packaging as oppose to local governments
- ✓ Authorize the Town to set the amount of the privilege license tax for all businesses based on gross receipts
- ✓ Allow greater flexibility in allocating seats on the Planning Board and Board of Adjustment among different types of residency
- ✓ Authorization for the Town to enter into development agreements with developers of large tracts of land including the University
- ✓ Inclusionary zoning

MEETING CANCELLATION

By consensus, the Board canceled its April 06, 1999 meeting.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HILLIARD CALDWELL THAT THE MEETING BE ADJOURNED AT 10:55 PM. VOTE: AFFIRMATIVE ALL.

Mayor

Deputy Town Clerk