

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 27, 1999 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Jacquelyn Gist
	Diana McDuffee
	Allen Spalt
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent

Alderman	Hilliard Caldwell (excused)
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REQUEST FOR ABILITY TO REPLACE BASKETBALL GOAL/MAPLE AVENUE

Mitch Virchick, a resident of Maple Avenue, presented a petition from the residents of Maple Avenue requesting that they be allowed to replace their basketball goal that was destroyed during Hurricane Fran.

The Board referred this matter to the town staff for a recommendation.

REPORT ON PLANS FOR NEW SMITH MIDDLE SCHOOL

Mike Hamersly, with Corley, Redfoot and Zack, representing the Chapel Hill-Carrboro City Schools, presented a report on the plans for recreational facilities for the new Smith Middle School. Mr. Hamersly stated that there had been discussions about joint use of these recreational facilities and upgrading the facilities to make them more like a park. Mr. Hamersly asked whether the town was interested in pursuing expansion of the recreational facilities to allow for town use of the facilities before submission of plans for the conditional use permit request for this project.

It was the consensus of the Board to approve the concept of a joint school-park arrangement at the new Smith Middle School, directed the town staff to process the conditional use permit for this project as expeditiously as possible, and asked that support for funding be pursued from the Orange County Board of Commissioners.

FUNDING REQUEST/RED CROSS

Susan Kessler, a volunteer with the American Red Cross, asked the town for \$5,000 for the next three years for the purchase of a new building for the Red Cross. Ms. Kessler also discussed the services provided by the Red Cross.

Mayor Nelson stated that the Board during budget deliberations would consider this funding request.

FUNDING REQUEST/ABODE

Allison Weiner, representing ABODE, requested funding at the rate of one cent on the town's tax rate for affordable housing in the 1999-2000 budget. Ms. Weiner stated that these funds, which will be contributed by each of the Orange County local governments, will be used to capitalize a housing trust fund until a permanent dedicated revenue source can be secured.

Mayor Nelson stated that the Board during budget deliberations would consider this funding request.

WORKSESSION ON REDUCING GREENHOUSE GAS OMISSIONS

Giles Blunden, the Chair of the town's Environmental Advisory Board, stated that the Chapel Hill Town Council will be holding a worksession on May 10th about how municipalities can participate in reducing greenhouse gas omissions.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO APPROVE THE APRIL 20, 1999 MINUTES, AS AMENDED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

APPOINTMENT TO BOARD OF ADJUSTMENT

The Chair of the Board of Adjustment recommended that Mary Kruter be appointed to the vacant in-town seat on the Board of Adjustment.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO APPOINT MARY KRUTER TO THE BOARD OF ADJUSTMENT. VOTE: AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

AWARD OF INFORMAL BID/TOWN COMMONS PLAY EQUIPMENT

The Board of Aldermen appropriated \$28,000 for play equipment for the Town Commons. The purpose of this item is to consider award of this project to Basnight and Associates, representing Playworld Systems, Inc., at a cost of \$27,000.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO AWARD THE BID TO BASNIGHT AND ASSOCIATES FOR A TOTAL COST OF \$27,000. VOTE: AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

CHARGES ISSUED

The Town Clerk issued a charge to Randee Haven-O'Donnell, a recent appointee to the Planning Board.

PUBLIC HEARING/LAND USE ORDINANCE AMENDMENT TO ALLOW SPECIALTY HIGH VOLUME RETAIL USES IN THE B-2 ZONING DISTRICT

The purpose of this item was for the Mayor and Board of Aldermen to receive public comment on a proposed amendment to the Land Use Ordinance entitled, "An Ordinance Amending the Carrboro Land Use Ordinance to Allow Specialty High-Volume Retail Uses in the B-2 Zoning District."

Trish McGuire, the town's Planner, presented the proposed amendment.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ALLOW SPECIALITY HIGH-VOLUME RETAIL USES IN THE B-2 ZONING DISTRICT WTH A ZONING OR CONDITIONAL USE PERMIT." VOTE: AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

PUBLIC HEARING/LAND USE ORDINANCE AMENDMENT ALLOWING GOLF PRACTICE FACILITIES IN WR, B-5, AND M-1 ZONING DISTRICTS

The Mayor and Board of Aldermen received public comment on a proposed amendment to the Land Use Ordinance that would allow golf practice facilities in the M-1, W-4 and B-5 zoning districts.

Trish McGuire, the town's Planner, presented the proposed amendment.

Mike Brough stated that the land use ordinance does not currently address wastewater treatment for non-residential uses in the W-R zone.

Mayor Nelson stated that the Planning Board, Transportation Advisory Board and Appearance Commission had made recommendations on this matter.

Giles Blunden stated that the Environmental Advisory Board stated that conceptually this type development will probably provide less impact than residential units, but there is no assurance that the proposed development will be built.

Paul Wilson stated that this land would support ten homes with separate septic tanks. The proposed facility would have one treatment facility with State review. Mr. Wilson stated that there would be covenants to limit the use of pesticides.

Cara Crissler, a resident of Todd Street, expressed concern about impervious surface run-off. Large lot subdivisions have shown to increase imperviousness. Ms. Crissler suggested the use of mixed use zoning,

cluster housing, conservation subdivisions, increased modes of transportation, etc. and asked that other businesses be encouraged to follow the pesticides guidelines.

Marty Mandell stated that the original watershed regulations need to be reviewed. We need to increase restrictions on the watershed, not allow commercial establishments in the watershed.

Livy Ludington spoke against the proposed amendment. Ms. Ludington stated that the Board has the power to retain the quality of the water. Ms. Ludington stated that Dr. Wilson's proposal is a good one, but it does not need to be located in the watershed.

Melva Okun stated that she was very involved in establishing the watershed regulations. Ms. Okun expressed concern about the monitoring of the wastewater treatment facility. Ms. Okun stated this is a great project, but it does not need to be in the watershed. Ms. Okun stated that she does not feel the Board has enough information to make such a change in the land use ordinance.

Alderman Spalt read a statement from Senator Ellie Kinnaird, speaking against the proposed amendment because she feels it would compromise the water quality of University Lake.

Dr. Wilson stated that his concept was to put the facility in a location where people would use it. The proposed site appears to be the only suitable site. Dr. Wilson asked about the possibility of connecting to the community park sewer line.

Alderman Gist stated that OWASA staff had recommended that OWASA does not believe that activities permitted under the proposed amendment represent any greater water quality risks that uses currently permitted in the W-4 district, provided that Carrboro continues to enforce its strict definition and limitation of impervious coverage.

Alderman Zaffron asked for further information on wastewater treatment in W-R district for comparable uses including the amount of wastewater generated by the comparable uses.

Alderman Spalt asked for a refinement on traffic counts information.

It was the consensus of the Board to continue discussion of this matter on May 11th.

PUBLIC HEARING/NAME CHANGE FOR BOARD OF ALDERMEN

The Mayor and Board of Aldermen received public comment on whether to change the name of the Board of Aldermen. Suggested names were: Carrboro Town Board, Carrboro Board of Councillors, and Carrboro City Council.

Richard Taylor, a resident of Jones Ferry Road, requested that the name Board of Aldermen be retained. Mr. Taylor spoke against city council since Carrboro will never be a city. Mr. Taylor spoke in favor of Carrboro Town Board if the name is changed. Mr. Taylor suggested that a survey be distributed at Carrboro Day asking for public opinion on the name change. In addition, Mr. Taylor asked that the Board consider referring this matter to the Appearance Commission for consideration.

Mayor Nelson stated that he had received phone calls from Sherri Ontjes who expressed support for the name Town Council. In addition, Marty Mandell expressed support for the name Town Board.

Alderman Gist pointed out that the Board had received letters opposing the name change.

Alderman McDuffee stated that she had received phone calls in favor of a name change.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY MICHAEL NELSON TO CHANGE THE NAME OF THE BOARD OF ALDERMEN TO CARRBORO TOWN BOARD. VOTE: AFFIRMATIVE TWO, NEGATIVE FOUR (MCDUFFEE, GIST, HALL, ZAFFRON) ABSENT ONE (CALDWELL)

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JACQUELYN GIST TO CHANGE THE NAME OF THE BOARD OF ALDERMEN TO BOARD OF COUNCILLORS. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (NELSON, SPALT)

DISCUSSION OF USE OF ANDERSON COMMUNITY PARK MULTI-PURPOSE FIELD

The multi-purpose field at Anderson Community Park has been restricted to minimal use because of turf conditions and problems. The Board of Aldermen, at their 1999 Planning Retreat, requested that this matter be brought before them for future discussion since members had been approached by individuals and organizations desiring use of the field. Therefore, the purpose of this agenda item was to provide background information to the Board and provide time to discuss the over-all uses of the Anderson Community Park Multi-Purpose Field.

Richard Kinney, the town's Recreation and Parks Director, presented the report. Mr. Kinney stated that the administration recommended that the Board of Aldermen direct the Recreation and Parks Department to continue town uses, school requests, and Sunday Morning informal soccer uses. In addition, that all future requests be considered in context to the overall impact on condition of the turf for safe use in general. And, that the administration continue to work with the Chapel Hill-Carrboro City Schools on the new Smith Middle School park concept to provide additional fields in the community to resolve some of the long-term demand for multi-purpose fields in general, and soccer fields in specific.

[The Board received Mr. Kinney's report, but took no action.]

Alderman Spalt requested information on the cost of irrigating the multi-purpose field at the Anderson Community Park.

DISCUSSION OF COMMUNITY CENTER FEES

The Board of Aldermen discussed a recommended fee structure for the Carrboro Community Center and asked that this matter be referred to the Recreation and Parks Commission for discussion of types of uses, variable fees and a fee waiver policy applicable to the Center. The Recreation and Parks Commission's recommendation was as follows:

RECOMMENDED FEE STRUCTURE

ITEM	PROPOSED USE AND FEE		
	FOR FEE AND PRIVATE SOCIAL ACTIVITIES 100%	OPEN TO MEMBERSHIP FREE 66 2/3%	OPEN TO GENERAL PUBLIC FREE 33 1/3%
TOWN CENTER			
Community Room (3 hr. time block) (Each additional hour pro-rated at the set charge)			
Weekday Use: Day Use	\$100.00	\$ 67.00	\$ 34.00
Night Use	\$150.00	\$100.00	\$ 50.00
Weekend Use: Day or Night Use	\$250.00	\$167.00	\$ 84.00
Meeting Room (2 hr. time block) (Each additional hour pro-rated at charge to right)	\$ 40.00	\$ 27.00	\$ 14.00
All Times			
Kitchen (3 hr. time block) (Each additional hour pro-rated at charge to right)	\$ 75.00	\$ 50.00	\$ 25.00
Deposit (all areas)	\$100.00	\$100.00	\$100.00
For purpose of clarification:			
<ol style="list-style-type: none"> 1. The 2-hour and 3 hour time blocks are the minimum times that each room area may be rented. Less time than the minimum will result in the full charge as listed above. Example: Meeting room rented for one and one-half hour will still result in a \$40.00 fee. Times over the minimum block will be charged at fifteen-minute intervals pro-rated from the hourly rate in each category of use. 2. Town of Carrboro direct government services, other Orange County local government boards and school boards' use, and meetings of same are free. 3. Town of Carrboro retains all rights to sales and concessions taking place in building. 4. "For Fee" Use includes any fee charged at door, prior to activity or to exhibitor or any one else directly or indirectly for the particular use held in the Carrboro Community Center. "Free" means no specific fee charged for the specific activity. 5. Supervisor costs are included in above fee. 			

WAIVER POLICY

<p>Special Fee Waiver</p> <p>(Adopted by the Board of Aldermen under the present Town Miscellaneous Fees and Charges Policy)</p>	<p>The Recreation and Parks Commission shall review all requests for special fee waivers (exclusive of financial hardship cases as stipulated under Section J) and approve/disapprove and set special conditions based on the value of fee waived in context of benefits to the overall recreation program.</p>
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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROVE THE FEE STRUCTURE AS RECOMMENDED BY THE RECREATION AND PARKS COMMISSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

REPORT ON TREE PROTECTION, PLANTING AND REPLANTING REQUIREMENTS

The purpose of this item was for the Board of Aldermen to receive a report on tree protection, planting and replanting and to consider possible strategies for expanding and/or improving the effectiveness of these requirements.

Trish McGuire presented the report.

Alderman Spalt suggested that the building inspectors provide some enforcement

Alderman McDuffee expressed her desire to have trees replanted rather than retaining worthless trees.

Alderman Gist expressed concern about the erratic enforcement of tree protection and stated that she would like to see a written plan for enforcement.

Alderman Broun asked for estimates of costs for enforcement.

BOARD DISCUSSION OF MAYOR MAKING MOTIONS

Alderman Zaffron requested that the Board discuss the ordinance provisions dealing with the Mayor making or seconding votes.

REQUEST FOR INFORMATION

Alderman Broun requested information on the total acreage in each zoning district within the city limits, including the total acreage currently developed and the total acreage undeveloped.

REQUEST FROM HABITAT FOR HUMANITY

Mayor requested that the Board have a discussion about the letter from Habitat for Humanity regarding the use of the Green Tract.

REVIEW OF BUDGET PROCESS

Mayor Nelson asked that the Board discuss the budget process for the FY' 2000 – 2001 budget in August or September.

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JOAL HALL BROUN TO
ADJOURN TO CLOSED SESSION AT 11:40 P.M. TO DISCUSS A PERSONNEL ISSUE. VOTE:
AFFIRMATIVE SIX, ABSENT ONE (CALDWELL)

Mayor

Town Clerk