

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 14, 1999 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Hilliard Caldwell
	Diana McDuffee
	Allen Spalt
	Alex Zaffron
Town Manager	Robert W. Morgan
Deputy Town Clerk	James E. Spivey
Town Attorney	Michael B. Brough

Absent:

Alderman	Jacquelyn Gist
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**MODIFICATION OF NOTIFICATION PROCESS**

Jackie Allen, a Pine Street resident, requested that the notification process used to inform the Carrboro citizenry of requested special use and conditional use permits be modified to allow for earlier notification.

This matter was referred to staff for a report

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**REQUEST FOR APPLICATION FEE REIMBURSEMENT**

Joy Preslar, former member of the defunct Venture Group, requested that the Town reimburse her the amount of fees paid for a withdrawn conditional use permit. Ms. Preslar explained that a conditional use permit was applied for in April 1998 to open a 24-hour restaurant in the former Alert Cable Building. She stated that a petition drive was organized by owners of the adjacent businesses to prevent the planned use of the site. This opposition led to the dissolution of the Venture Group. Ms. Preslar stated that she had made an approximate \$1,500 investment in this venture which is now a personal debt.

The Board referred this matter to staff because a decision regarding this matter would be precedent setting. The Board directed that Ms. Preslar be informed of the date that the report regarding this matter would be presented for the Board for review and comment.

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**HURRICANE FLOYD UPDATE**

Chief Murray presented an update regarding Hurricane Floyd. He explained that, per the Board's request, a database of the elderly and physically challenged citizens in Carrboro had been established. The database lists twenty-six (26) citizens and he noted that twenty-three (23) of those may require oxygen. Chief Murray stated that the twenty-six citizens had been contacted by staff. He stated that two

school facilities would be used as shelters; Chapel Hill High School is designated as the shelter to be used by Carrboro citizens.

The Board questioned why one of the school facilities in Carrboro was not designated as an emergency shelter and whether or not generators had been purchased as authorized during the budget process.

Mr. Morgan responded that the Red Cross was responsible for emergency shelter designation and informed the Board that no generators had been purchased to date. He also stated that the Town Hall would be accessible by telephone by dialing 942-8541.

Chief Murray stated that the Carrboro Fire Department and the OWASA Building would be used as emergency shelters if the situation required it.

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**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE SEPTEMBER 7, 1999 MINUTES WITH NOTED CHANGES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

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**A REQUEST TO LOWER THE SPEED LIMIT ON WINSOME LANE**

The residents of Winsome Lane signed a petition requesting that the Town of Carrboro lower the speed limit along Winsome Lane from 35 mph to 25 mph. The purpose of this item was for the Board of Aldermen to consider adopting the TAB's recommendation that the speed limit along the entire length of Winsome Lane be reduced from 35 mph to 25 mph.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO REDUCE THE SPEED LIMIT ALONG WINSOME LANE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

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**A REQUEST TO ADOPT RESOLUTIONS AWARDED A CONTRACT FOR THE PURCHASE OF A VEHICLE FOR THE FIRE MARSHAL**

The Board, in adopting the FY1999-2000 Budget, approved the use of installment purchase funding for the purchase of a vehicle for the Fire Marshal. The Board was requested to award a contract for the purchase of a utility vehicle for the Town's Fire Marshal and to approve a "reimbursement resolution" that confirms the Board's intent to use financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase financing.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION AWARDING A CONTRACT TO PURCHASE A UTILITY VEHICLE  
Resolution No. 28/1999-2000

BE IT RESOLVED by the Board of Aldermen that a contract is awarded for the following:

One (1) 2000 Ford Explorer XLT Sport Utility 4x4 Vehicle to University Ford of Chapel Hill for the total price of \$26,725.00.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of September, 1999:

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

Noes: None

Absent or Excused: Jacquelyn Gist

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The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Joal Hall Broun.

REIMBURSEMENT RESOLUTION  
Resolution No. 29/1999-2000

WHEREAS, the Town Manager, Robert W. Morgan, has described to the Board the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase installment financing.

BE IT RESOLVED by the Board of Aldermen as follows:

Section 1. The purchase is a sport-utility vehicle for use by the Town.

Section 2. The project is to be financed. The expected type of financing (which may be subject to change) is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20. The currently expected maximum amount of bonds or other obligations to be issued or contracted for the project is \$26,725.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for project costs are intended to be reimbursed from the financing proceeds.

Section 4. The adoption of this resolution is intended as a declaration of the Town's official intent to reimburse project expenditures from financing proceeds.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of September, 1999:

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

Noes: None

Absent or Excused: Jacquelyn Gist

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**FUNDING FOR A FEDERAL LAND AND WATER CONSERVATION PROGRAM**

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Diana McDuffee.

A RESOLUTION RECOMMENDING SUPPORT OF FUNDING FOR A FEDERAL LAND AND  
WATER CONSERVATION PROGRAM  
Resolution No. 32/1999-2000

WHEREAS, for over thirty years, the Land and Water Conservation Fund was a legacy left behind by the Outdoor Recreation Review Commission of the Federal Government to assist in funding, specifically for the purpose of acquiring and developing natural resources that would provide recreation opportunities and preservation of open space for future generations; and

WHEREAS, over the past several years, funding for the Land and Water Conservation Fund has not been approved by the United States Congress, which has greatly diminished opportunities for recreation enhancements by states and local governments; and

WHEREAS, during the last session of Congress, both the House and the Senate introduced Bills which would reinstate funding for the Land and Water Conservation Fund or similar programs; and

WHEREAS, the Town of Carrboro has made great use of earlier Land and Water Conservation Funds for the acquisition and development of most of our park lands and presently have existing facility and park needs, with funding for these projects limited by local resources; and

WHEREAS, reinstatement for funding for the Land and Water Conservation Fund or similar programs would greatly benefit the Town of Carrboro as it develops and renovates recreational facilities for future generations.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen urges members of the House of Representatives and Senate of the United States Congress to support reinstating the funding for the Land and Water Conservation Fund or similar programs which would greatly benefit both state and local governments as they strive to meet the continual needs of recreational services for their citizens.

Section 2. That a copy of this resolution be sent to Congressman David Price, Senator Jesse Helms and Senator John 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 14th day of September, 1999:

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

Noes: None

Absent or Excused: Jacquelyn Gist

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**ENHANCEMENT PROGRAM APPLICATIONS**

The town staff received documentation from the North Carolina Department of Transportation concerning a newly established procedure to receive funding for candidate enhancement projects. The purpose of this item was for the Board of Aldermen to adopt the resolution authorizing the Town Manager to submit Transportation Enhancement Program applications for three candidate projects.

Kenneth Withrow, the town's Transportation Planner, made the staff presentation.

Alderman McDuffee voiced disappointment that the Board of Aldermen did not have an opportunity to have input regarding the proposed projects for grant funding.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Alex Zaffron.

A RESOLUTION AUTHORIZING THE TOWN MANGER TO SUBMIT TRANSPORTATION  
ENHANCEMENT PROGRAM APPLICATIONS  
Resolution No. 30/1999-2000

WHEREAS, the North Carolina Department of Transportation has announced a solicitation of projects for funding under the Transportation Enhancements Program; and

WHEREAS, the Town has review potential projects to be funded with Enhancement Program funds:

NOW THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Carrboro that the Town Manager be authorized to submit Transportation Enhancement Program applications for the following projects:

- Sidewalk Project along Old Fayetteville Road
- Sidewalk Project along South Greensboro Street's 100 Block
- Downtown Pedestrian Workshop/Conference

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of September, 1999:

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

Noes: None

Absent or Excused: Jacquelyn Gist

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**REQUEST TO PROVIDE FUNDING FOR CARRBORO KID'S ADOPT-A-TREE PROGRAM**

The purpose of this item was to create a fund to support a proposed "Adopt-A-Tree" program for residents' private property. This program will promote/educate the idea of environmental and aesthetic benefits of planting trees in the Town of Carrboro. A secondary benefit is to help families with an activity that not only benefits the town but also brings the child and parent/guardian together for a project that will hopefully benefit the residence and the resident's quality of life. The program will also make residents aware of the prime tree-planting season, which is October through March.

Chris Gerry, the town's Landscape Supervisor, made the staff presentation. Mr. Gerry explained the "Adopt-A-Tree" program, the responsibilities of the participants, sponsoring agencies, and funding mechanisms.

The Board discussed this matter and voiced concern about the potential for inappropriate public endorsement of commercial interests and the need for caution by the Town in this regard.

The following resolution was introduced by Alderman Allen Spalt and duly seconded by Alderman Joal Hall Broun.

**A RESOLUTION TO FUND THE CARRBORO KIDS ADOPT-A-TREE PROGRAM  
Resolution No. 31/1999-2000**

WHEREAS, the Carrboro Board of Aldermen recognize the benefit, need, and desirability for tree planting since trees beautify our town, creating an attractive and pleasant place to live, work, and play; and

WHEREAS, the Carrboro Kid's Adopt-A-Tree program has been established for town residents to participate in a low-cost tree planting program that will not only benefit the resident but will also improve the Town of Carrboro's environment; and

WHEREAS, the funding will be subject to private sponsorship and the program is designed so that no public funds will be used for the purchase of trees.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. If funds are made available for the Adopt-A-Tree program, an opening ceremony will take place at the Town Hall in October 2000.

Section 2. 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 14th day of September, 1999:

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

Noes: None

Absent or Excused: Jacquelyn Gist

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**WORKSESSION TO DISCUSS LONG-RANGE PLANNING ISSUES**

The Annual Action Agenda includes several projects that appear to overlap each other. The Town Administration needs further guidance from the Board in developing these projects and the sequence in which they need to come before the Board. The purpose of this agenda item was to discuss these long-range planning issues and reach consensus on the process to address them.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO ADOPT THE FOLLOWING CHARGE FOR THE VISION 2020 TASK FORCE AND THE FOLLOWING STRUCTURE OF THE STEERING COMMITTEE:

- ***The Charge for the Vision 2020 Task Force***
  1. Review and assess the success of the Year 2000 Report
  2. Assess the state of the community
  3. Initiate a community-wide brainstorming session(s) to solicit ideas for Vision 2020
  4. Identify a set of goals to guide the town over the next two decades  
These goals may fall under the following categories:
    - ✓ Amenities (parks and recreation, arts and culture, human services and other town services)
    - ✓ Development
    - ✓ Economic Development
    - ✓ Transportation
  5. Identify strategies that may be pursued to achieve these goals
  6. Develop a Vision 2020 Report
  7. Present the report to the Mayor and Board of Aldermen for approval

- ***The proposed structure for the steering committee is as follows:***

A steering committee comprised of two members from the Board of Aldermen, one representative from each citizen advisory board, and three at-large members. The steering committee shall be chaired by two co-chairpersons (one Board of Aldermen member and one member of the general public).

VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

Alderman Diana McDuffee and Mayor Mike Nelson volunteered to serve on the steering committee.

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**MEETING WITH ACTING CHANCELLOR**

Alderman Joal Hall Broun requested input from the Board regarding a scheduled meeting with the Acting Chancellor of the University. The Board suggested the following topics:

- ◆ Housing issues
- ◆ His commitment to ongoing committees, processes, procedures, Airport Advisory Committee, etc.
- ◆ Park-N-Ride Lot and Ridership
- ◆ Funding of the bus system
- ◆ Issues regarding the Horace Williams Tract
- ◆ Express gratitude to the University for the Smith Middle School Park

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**UPDATE ON POSTAL SERVICE SITUATION**

Robert Morgan informed that Board that two meetings had transpired with the postmasters of Chapel Hill and Carrboro and staff. Mr. Morgan stated that the meeting had been successful and that the situation is now being viewed from a cost standpoint. He stated that public meetings would be conducted in the effected areas; after these public meetings, another survey will be done to solicit citizen input.

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**CREATION OF TWO LEGISLATIVE STUDY GROUPS**

Alderman Zaffron informed that Board that the State had created a “Smart Growth Study Committee” and a “Metropolitan Planning Organization (MPO) Study Commission”. He stated that he would serve as the Board’s contact person to these legislative committees.

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**ENVIRONMENTALLY SENSITIVE CLEANERS**

Alderman Spalt forwarded information to the town manager regarding new, environmentally sensitive methods that can be used by cleaners. It was suggested that maybe one of the existing cleaners in Carrboro could be converted to this environmentally sensitive cleaning process.

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**JORDAN LAKE MEETING**

Alderman Broun requested that a Board discussion of the Jordan Lake matter be scheduled within the next month or so.

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**DRAFT LETTER ON LANDFILLS IN WATERSHEDS**



The Board reviewed a proposed draft letter to the County Commissioners on the proposal to put a C&D off Guess Road landfill in Durham's watershed.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY DIANA MCDUFFEE THAT THE PROPOSED DRAFT LETTER NOT BE SENT AS A BOARD OF ALDERMEN RESPONSE BUT THAT INDIVIDUAL MEMBERS OF THE BOARD COULD CONVEY THEIR INDIVIDUAL RESPONSES TO THE COUNTY COMMISSIONERS. VOTE: AYES (Zaffron, Caldwell, Nelson, McDuffee); NOES 2 (Broun, Spalt); ABSENT/EXCUSED 1 (Gist).

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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON THAT THE BOARD OF ALDERMEN ADJOURN TO CLOSED SESSION TO DISCUSS PROPERTY ACQUISITION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE THAT THE SEPTEMBER 14, 1999 BOARD OF ALDERMEN MEETING BE ADJOURNED AT 11:20 PM. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST).

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Michael R. Nelson, *Mayor*

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James E. Spivey, *Deputy Town Clerk*