

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 26, 1999 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent

Alderman	Joal Hall Broun
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CONDOLENCES TO JIMMY PERRY'S FAMILY

The Board requested that the flags at Town Hall and Public Works be lowered to half mast for the remainder of the week in honor of Mr. Jimmy Perry, a former town employee who passed away this past weekend. The Board requested that the Manager forward a letter to Mr. Perry's family offering condolences.

PRESENTATION OF RESOLUTION TO STURDIVANT FAMILY

Mayor Nelson presented a resolution expressing appreciation to Grady Sturdivant to Mr. Sturdivants' first wife and children.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE OCTOBER 12, 1999 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

REQUEST TO CANCEL NOVEMBER 2ND AND 23RD BOARD MEETINGS

The administration requested that the Board of Aldermen adopts a resolution canceling the November 2nd and November 23rd regularly scheduled meetings of the Board of Aldermen.

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Hilliard Caldwell.

A RESOLUTION CANCELING THE NOVEMBER 2 AND 23, 1999
MEETINGS OF THE CARRBORO BOARD OF ALDERMEN
Resolution No. 46/1999-2000

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the November 2 and November 23, 1999 meetings of the Carrboro Board of Aldermen are hereby canceled.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of October, 1999:

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

Noes: None

Absent or Excused: Joal Hall Broun

ASSISTANCE TO FLOOD VICTIMS

Alderman Zaffron gave a report on conditions in Speed, N.C. and stated that Chapel Hill Transit buses would be leaving the Eubanks Road parking lot this Saturday to transport citizens to Speed to begin renovating homes. Alderman Zaffron stated that citizens could contact Rachel Windham or the Chapel Hill Town Manager for information.

Alderman Gist suggested that the Fire Chief contact the fire chief in Speed to see if they need our surplus fire truck.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO OFFICIALLY ADOPT SPEED, N.C. AS THE COMMUNITY THE TOWN WILL FOCUS ITS FLOOD RELIEF EFFORTS ON, AS LONG AS THESE EFFORTS DO NOT CONFLICT WITH OTHER FLOOD RELIEF EFFORTS IN EDGEcombe COUNTY. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

The Board requested that the Town Manager investigate the possibility of giving town employees of up to 16 hours paid leave to assist flood victims.

PUBLIC HEARING/2000-2002 MUNICIPAL TRANSPORTATION IMPROVEMENT PROGRAM

The N.C. Department of Transportation (NCDOT) has begun the new Biennial State Transportation Improvement Program (TIP) process. This means that the Board of Transportation will adopt a new TIP at the end of two years instead of at the end of one year. NCDOT is requesting that the local governments and their respective metropolitan planning organizations begin the biennial process by updating their project lists. The Mayor and Board of Aldermen received public comment on the TIP and considered adopting a resolution approving the 2000-2002 Municipal Transportation Improvement Program.

Kenneth Withrow, the town's Transportation Planner, presented the proposed TIP.

Alderman Gist requested information on the impact of improvements on residents along Estes Drive.

Mayor Nelson suggested that the Agenda Planning Committee schedule a discussion of the Homestead Road widening project sometime during the next 12 months.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO CLOSE THE PUBLIC HEARING AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE PROPOSED TIP, SWITCHING THE ORDER OF PROJECTS #4 (HOMESTEAD ROAD) AND 5 (SEAWELL SCHOOL ROAD), THAT THE TOWN STAFF BRING BACK A RECOMMENDATION FOR IMPROVING THE TIP REVIEW PROCESS, AND THAT THE AGENDA PLANNING COMMITTEE SCHEDULE A BOARD DISCUSSION OF THE HOMESTEAD ROAD IMPROVEMENT PROJECT. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GIST), ABSENT ONE (BROUN)

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Hilliard Caldwell.

**A RESOLUTION ADOPTING THE
2000 – 2002 MUNICIPAL TRANSPORTATION IMPROVEMENT PROGRAM
Resolution No. 47/1999-2000**

WHEREAS, the North Carolina Department of Transportation has determined that municipalities and metropolitan planning organizations will institute a biennial process to adopt a State Transportation Improvement Program; and

WHEREAS, the State Transportation Improvement Program is a list of selected transportation projects from Carrboro and other municipalities and metropolitan planning organizations throughout North Carolina:

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the Town adopts the following 2000 – 2002 Municipal Transportation Improvement Program:

DRAFT 2000 –2002 CARRBORO MUNICIPAL TRANSPORTATION IMPROVEMENT PROGRAM					
CARRBORO			DCHC URBANIZED AREA		NCDOT STIP(DRAFT)
Proj#	Description	Proj #	Description	Proj #	Description
1	Roberson Place Bikepath - Construct a bicycle path between Rand Road and Wesley Street on a new location.	E-15	Roberson Place (Old Mill Village) Bikepath between Rand Rd & Wesley St.	E-4008	Roberson Place Bikepath: Rand Rd to Wesley St. Construct Bicycle Path. Funded - \$75,000.
2	Estes Drive - Widen Estes Drive from the Carrboro town limits to North Greensboro Street to include bikelanes and a right-turn lane.	H-8	Estes Drive widening from NC 86 to Greensboro Street in Carrboro.	U-2909	SR 1780 (Estes Drive). SR 1772 (Greensboro Street) to NC 86. Widen roadway to three-foot lanes with four-foot paved shoulders. Fully-Funded in Post Years - \$6,202,000.
3	Old NC 86 - Widen Highway Old NC 86 to 36 feet with curb and gutter, bikelanes, and a sidewalk for the intersection of Old Fayetteville/Hillsborough Road to Homestead Road (Calvander Area).	H-20	Old NC 86 bicycle and pedestrian project.		
4	Seawell School Rd - Widen Seawell School Road to include a four-foot shoulder				

	section for bikelanes between Homestead Road and Estes Drive.				
5	Homestead Rd. - Widen Homestead Road to a two-lane section with a 16-foot grassed median between High School Road and Old NC 86. Widen shoulders 4 feet and mark for bikelanes.				
6	Eubanks Rd - Widen Eubanks Road between Highway Old NC 86 to Rogers Road to include a four-foot shoulder section for bikelanes.				
7	Homestead/Seawell School Connector - Construct a Homestead/Seawell School Road connector to 36 feet with curb and gutter, bikelanes, and a sidewalk on a new location.				
8	BPW/Westbrook Bikepath - Provide pedestrian and bicycle access from BPW Club Road area to Westbrook Drive by building a pedestrian/bicycle bridge over Morgan Creek behind the Bluffs Apartments.				
9	Alta Seasons Bikepath - Construct a bicycle path between Old Fayetteville Road and Willow Creek Shopping Center on a new location.				
10	Carr Mill Mall Bikepath - Construct a bicycle path around the northern and eastern perimeter of Carr Mill Mall on a new location.				

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of October, 1999:

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

Noes: Jacquelyn Gist

Absent or Excused: Joal Hall Broun

A MINOR MODIFICATION TO THE EXISTING CARRBORO PLAZA CONDITIONAL USE PERMIT

The Town of Chapel Hill submitted an application requesting a minor modification to the existing conditional use permit for Carrboro Plaza. This minor modification proposes to relocate the existing park and ride facility to the rear of the shopping center along Old Fayetteville Road in order to allow for the development of the two out-parcels for the Carrboro Plaza shopping center. The Board of Aldermen must review requests for minor modifications to conditional use permits prior to the applicant beginning work on the requested changes. The applicant requests that the Board of Aldermen consider, deliberate and make a decision on the conditional use permit minor modification request.

Chris Murphy, the town's Development Review Administrator, made the presentation and stated that the administration recommended approval of the conditional use permit modification to relocate the Chapel Hill Transit Park and Ride lot to another portion of the property located at 104 Highway 54 Bypass be approved, subject to the following conditions:

1. That the plans be modified to reduce the height of the lights to 15 feet and to ensure that the 0.2 foot candle is contained on the property in the vicinity of the new park and ride lot.
2. That the proposed bus shelters associated with the new park and ride lot location measure approximately 5' x 10' and resemble/use similar materials as the "Design Works" model.

Bob Godding, representing Chapel Hill Transit, stated that they had been successful in entering into a 20-year lease for the park and ride lot with the shopping center and had successfully obtained a grant to construct the new park and ride lot. Mr. Godding stated their concern for lighting was for safety and camera operation.

Greg Shepard, representing the applicant, stated that \$50,937 had been spent on plan development for the Carrboro Plaza Park and Ride Lot. Mr. Shepard stated that they would be able to retain the 0.2 foot candle limit with the 30-foot light poles. Mr. Shepard stated that they have proposed to locate a concrete pad at the breezeway of the building that would house 10 bike racks in addition to installing 4 bike lower structures.

Giles Blunden urged the Board to follow the land use ordinance regulations for the lighting. Mr. Blunden stated that he felt 15-foot lights would provide better lighting than 30-foot lights.

Police Chief Carolyn Hutchison stated that the residents of Arbor Meadows had requested lights. Chief Hutchison stated that she feels the 30-foot lights will provide better surveillance. Chief Hutchison stated that there have been robberies in the shopping center and that she would like the park and ride lot to be as well lighted as possible.

Bob Godding stated that the better the lighting the better the surveillance camera is going to work.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST THE BOARD MAKES THE FINDING THAT THE APPLICANT HAS MADE SUBSTANTIAL EXPENDITURES OR OTHERWISE MADE SUBSTANTIAL BINDING OBLIGATIONS IN REASONABLE RELIANCE ON THE LAND USE ORDINANCE PRIOR TO THE MAY 25, 1999 AMENDMENTS RELATING TO SITE LIGHTING STANDARDS, AND APPROVES THE MINOR MODIFICATION TO ALLOW THE RELOCATION OF THE EXISTING PARK AND RIDE FACILITY TO THE REAR OF THE SHOPPING CENTER ALONG OLD FAYETTEVILLE ROAD WITH THE FOLLOWING CONDITIONS:

1. That the proposed bus shelters associated with the new park and ride lot location measure approximately five by ten feet (5' x 10') and resemble/use similar materials as the "Design Works" model.

2. That the former Cable Vision Industry (CVI) radio antenna located on top of a utility pole in the proposed park and ride lot be removed as part of this project, by either the applicant or Carrboro Plaza.
3. That the proposed Old Fayetteville Road entrance sign read "Chapel Hill Transit" not "Town of Chapel Hill", that the sign be positioned parallel to Old Fayetteville Road, and that the sign use a fluorescent box light (like the kind used at the Carrboro Post Office) for nighttime illumination, not a spotlight system.
4. That the Town of Carrboro Public Works Department erect a brown information sign at the intersection of Old Fayetteville Road and Highway 54 West to help users locate the park and ride lot.
5. That the applicant work with Carrboro Plaza to determine if a temporary informational sign needs to be installed near the original park and ride lot to direct people to the new location.
6. That 30-foot lights be allowed for security reasons, but that the lighting along the property line not exceed the 0.2 foot candle allowance.
7. That the amount of bicycle parking spaces be increased to 10, with wave-style bike racks and 4 bike locker structures placed in close proximity to the bus shelters.
8. That a painted crosswalk be included from the bus stop to the handicapped parking spaces, and that negotiations take place with the owner of the shopping center to extend the crosswalk to the breezeway of the shopping center.
9. That the two bus shelters be constructed with higher seats.

VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (NELSON, SPALT), ABSENT ONE (BROUN)

REPORT: REVIEW OF ENVIRONMENTAL ADVISORY BOARD'S RECOMMENDED LAND USE ORDINANCE CHANGES

In the late summer and fall of 1998, the Board of Aldermen received reports from the Environmental Advisory Board (EAB) concerning the effectiveness of environmental protection measures in the Land Use Ordinance. In follow-up, the Board agreed to discuss the reports following completion of the Northern Study Area ordinance review and adoption process and requested a staff analysis of the EAB's recommendations. Per the Board's request, an evaluation of the EAB's reports and recommended changes has been made. A report on this matter was presented for the Board's consideration.

Giles Blunden requested an opportunity for the EAB to meet with Trish McGuire to review her report.

Mayor Nelson requested copies of the EAB reports be re-distributed to the Board of Aldermen.

The following resolution was introduced by Alderman Allen Spalt and duly seconded by Alderman Diana McDuffee.

A RESOLUTION REFERRING UNRESOLVED EAB RECOMMENDATIONS
TO THE AGENDA PLANNING COMMITTEE
SO THAT A JOINT WORKSESSION MAY BE SCHEDULED

TO REVIEW THESE MATTERS FURTHER
Resolution No. 48/1999-2000

WHEREAS, from time to time, the Carrboro Board of Aldermen recognizes the need to consider revisions to the content and structure of the Town's land use regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the agenda planning committee schedule a joint worksession, or worksessions with the Environmental Advisory Board, as needed, to clarify the goals and concerns related to items numbered 1 through 5 below and to determine whether further action should be pursued.

1. Following data compilation and analysis, pursue a watershed-based zoning approach (if the community wishes to allocate impervious surfaces and development levels by watershed) and/or a zoned approach to stream buffers to ensure their effectiveness by specifying permitted uses in particular parts of each stream buffer.
2. Using the data noted above and other sources, incorporate biotic communities' overlays that would be used to expand information on, and perhaps reprioritize, secondary conservation areas that are identified during the site planning/open space designation process.
3. Apply design standards and/or controls to ensure that stormwater is not released in a concentrated fashion at the edge of or within any stream buffer.
4. Develop a manual of open space maintenance procedures and ownership/management responsibilities.
5. Revise parking standard drawings to incorporate a permeable paving system, require a minimum number of compact parking spaces, and incorporate bio-retention areas for water quality protection into parking lot stormwater management systems.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of October, 1999:

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

Noes: None

Absent or Excused: Joal Hall Broun

REPORT REGARDING A REQUEST FROM THE ENVIRONMENTAL ADVISORY BOARD FOR JOINT REVIEW STAFF ASSISTANCE

The Town Manager received a request from the Chair of the Environmental Advisory Board asking that the EAB be included in the Joint Review Process along with staff support. The purpose of this report was to provide the Board of Aldermen with a copy of the Chair's request along with a summary of advisory board duties and a listing of staff resources that may be needed.

Roy Williford, Planning Director, made the presentation.

The following resolution was introduced by Alderman Allen Spalt and duly seconded by Alderman Diana McDuffee.

A RESOLUTION RESPONDING TO A REQUEST FROM THE CHAIR
OF THE EAB TO BE INCLUDED IN THE JOINT REVIEW PROCESS
AND TO RECEIVE SOME STAFF ASSISTANCE

WHEREAS, the Chair of the Environmental Advisory Board requested the Town of Manager to consider including the EAB as a part of the town's Joint Review Process;

WHEREAS, the Board of Aldermen recently repealed section 15-45.2 of the Carrboro Land Use Ordinance that required the EAB to function without staff;

WHEREAS, additional staff will be needed to provide the EAB with a full range of services;

WHEREAS, additional meeting rooms and recording equipment will be required in support of increased advisory board participation in the joint review process;

WHEREAS, the clarification and definition of advisory board roles and responsibilities in the joint review process should promote a well-coordinated review process;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that:

- 1) The administration is directed to provide the EAB with limited staff support needed to assemble and send joint review agenda materials to the members of the EAB;
- 2) The chairpersons of the TAB, EAB, Planning Board, Downtown Development Commission, Appearance Commission, and Northern Transition Area Advisory Board meet to review and clarify their roles and responsibilities with regard to the joint review process; and
- 3) The administration identifies additional meeting rooms or alternative arrangements to support the space needs of the joint review process.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of October, 1999:

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

Noes: None

Absent or Excused: Joal Hall Broun

Alderman Gist requested that a report be prepared for the Retreat on human resource allocation.

A REPORT ON EVALUATION OF COMMUNITY CONDITIONS AND TRENDS

As a precursor to the budget process, the Town Manager and Department Heads developed a report evaluating community trends, both current and future, and their impact on the services provided by the Town. The Town Manager also requested similar assessments from Advisory Boards. These assessments are one source of input that may be used by the Board in evaluating the direction that the Town should take and where limited resources are allocated. It is anticipated that these assessments will provide valuable insight to the Board in reviewing and refining the Town's vision, goals, and objectives in the upcoming budget retreat scheduled in November 1999. These assessments will also be of value toward discussions in the Town's upcoming Vision 2020 process.

Alderman McDuffee requested that the report be amended to reference public transportation and sidewalks (making the community pedestrian friendly).

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Allen Spalt.

A RESOLUTION ACCEPTING THE COMMUNITY ASSESSMENTS
Resolution No. 49/1999-2000

BE IT RESOLVED BY the Carrboro Board of Aldermen that the Aldermen accept the community assessments and consider the information in reviewing and refining their goals and policy direction for the town.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of October, 1999:

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

Noes: None

Absent or Excused: Joal Hall Broun

A REPORT ON Y2K COMPLIANCE FOR THE TOWN OF CARRBORO

The purpose of this item was to provide the Mayor and Board of Aldermen with the most recent information on the town's efforts to correct any potential technology problems related to the Year 2000 programming error.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Allen Spalt.

A RESOLUTION ACCEPTING THE TOWN MANAGER'S
REPORT ON Y2K READINESS
Resolution No. 50/1999-2000

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that it accepts the report prepared by the Town Manager on the Town's readiness to manage Y2K related problems.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of October, 1999:

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

Noes: None

Absent or Excused: Joal Hall Broun

ONE-DAY RETREAT SCHEDULED

Mr. Morgan informed the Board that there would be a one-day Board/Staff Retreat on Saturday, December 11th from 9 – 4 p.m.

REQUEST FOR REPORT ON SEWER HOOKUPS FOR BARINGTON HILLS RESIDENTS

Alderman Caldwell asked for a status report on the sewer hookup requests for residents of Barington Hills.

PLANNING COMMITTEE FOR COMMUNITY CENTER OPENING CEREMONY

Mayor Nelson asked for authority from the Board to establish a committee to plan the opening ceremony for the Community Center.

The Board authorized the Mayor to establish a committee to plan the Community Center opening ceremony.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO ADJOURN TO CLOSED SESSION AT 10:55 P.M. TO DISCUSS PROPERTY ACQUISITION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO GO INTO OPEN SESSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

PUBLIC HEARING SET/PURCHASE AND SALE OF PROPERTY

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO SET A PUBLIC HEARING FOR NOVEMBER 16, 1999 TO RECEIVE PUBLIC COMMENT ON THE POSSIBLE SALE OF TOWN PROPERTY LOCATED ON PATHWAY DRIVE AND THE POSSIBLE PURCHASE OF PROPERTY ON HILLSBOROUGH ROAD. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

Mayor

Town Clerk