

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 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 TO REALLOCATE FUNDS**

Myles Pressler asked the Board to consider supporting the County's penny on the tax rate for affordable housing. In addition, Mr. Pressler gave the Board an update on the Midway Business Center project. Mr. Pressler asked the town to reallocate \$6,000 in housing grant funds allocated to Empowerment for use on the Midway Business Center.

The Board asked that this matter be referred to the town staff for review and that it be scheduled for Board consideration.

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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 NOVEMBER 9, 1999 MINUTES. VOTE: AFFIRMATIVE ALL

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**AWARD OF BID FOR POLICE CARS**

The Board, in adopting the FY99-2000 budget, approved the use of installment purchase funding for the purchase of police vehicles. The Board was requested to award contracts for the purchase of four (4) police vehicles and four (4) camera systems to be installed in the vehicles for the Police Department 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 lease-purchase installment financing.

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

A RESOLUTION AWARDED CONTRACTS TO PURCHASE  
FOUR (4) POLICE VEHICLES AND FOUR (4) CAMERA SYSTEMS  
Resolution No. 55/1999-200

BE IT RESOLVED by the Board of Aldermen that contracts are awarded for the following:

Four (4) 2000 Ford Crown Victoria Police Interceptors to University Ford of Chapel Hill for the total price of \$85,652.00.

Four (4) System-7 In-Car Video Camera Systems to Mobile-Vision, Inc. for the total price of \$13,880.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of November, 1999:

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

Noes: None

Absent or Excused: None

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

REIMBURSEMENT RESOLUTION  
Resolution No. 56/1999-2000

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 for four (4) police vehicles and four (4) camera systems 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 \$99,532.

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 16th day of November, 1999:

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

Noes: None

Absent or Excused: None

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**REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE AMENDMENT EXEMPTING MOBILE HOMES FROM NEIGHBORHOOD PRESERVATION DISTRICT REGULATIONS**

On September 28, 1999, the Board of Aldermen held a public hearing on a proposed rezoning that would establish the Old Pittsboro Road Neighborhood Preservation District. The Board of Aldermen expressed their support for this designation with the inclusion of the Rocky Brook Mobile Home Park, but requested that staff prepare a land use ordinance text amendment to exclude mobile home change-outs from Neighborhood Preservation District Commission review. A resolution that sets a public hearing on such an ordinance amendment has been prepared and is recommended for the Board's adoption.

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

A RESOLUTION CALLING A PUBLIC HEARING  
ON A LAND USE ORDINANCE TEXT AMENDMENT  
EXEMPTING THE REPLACEMENT OF MOBILE HOMES  
IN OVERLAY ZONES FROM REVIEW BY THE  
NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION  
Resolution No. 70/1999-2000

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed developments; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on January 18, 2000 to consider adopting "An Ordinance Amending The Carrboro Land Use Ordinance To Allow Mobile Homes To Be Moved In Or Out Of Mobile Home Parks Within Neighborhood Preservation Districts Without Neighborhood Preservation District Commission Review."

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board and Appearance Commission for comment and recommendation to the Board.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of November, 1999:

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

Noes: None

Absent or Excused: None

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**APPOINTMENT TO APPEARANCE COMMISSION/NPDC**

The Board was requested to consider adopting a resolution appointing Charles Morton to a vacant seat on the Appearance Commission/Neighborhood Preservation District Commission.

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

A RESOLUTION APPOINTING CHARLES MORTON  
TO THE APPEARANCE COMMISSION/NPDC  
Resolution No. 66/1999-2000

WHEREAS, there are currently five vacant seats on the Appearance Commission/ Neighborhood Preservation District Commission; and

WHEREAS, these positions have been advertised and Mr. Charles Morton has submitted an application; and

WHEREAS, Mr. Morton's application was forwarded to the Chair of the Appearance Commission/NPDC for consideration; and

WHEREAS, Sophie Piesse, Chair of the Appearance Commission/NPDC, has reviewed Mr. Morton's application and is recommending that he be appointed to one of the vacant seats on the Appearance Commission/NPDC.

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

Section 1. The Board of Aldermen hereby appoints Charles Morton to a seat on the Appearance Commission/NPDC. Mr. Morton's term shall expire in February 2002.

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 16th day of November, 1999:

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

Noes: None

Absent or Excused: None

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**PUBLIC HEARING/PUBLIC HEARING TO CONSIDER THE SALE AND PURCHASE OF PROPERTY**

Additional property is needed to provide for a neighborhood park in Carrboro's northwestern quadrant. The Board received public comment and recommendations regarding a proposal to purchase a 9.4-acre parcel located off of Hillsborough Road. The town is proposing to sell a 2-acre parcel located off of Pathway Drive and apply the proceeds from the sale towards the purchase of the property located on Hillsborough Road.

Tom Sweed, a resident of 1901 Pathway Drive, asked that Board not make a decision tonight on this issue. Mr. Sweed presented a petition containing 94 signatures stating opposition to the sale of the town's property located off Pathway Drive. This opposition is based on the small amount of green space in Carrboro, the town's haste in proceeding with the sale of this property, there is a drainage problem on the north side of the property and any construction on this property will increase these problems.

John McGowan, a resident of 110 Waverly Forest Lane, asked the Board to establish a committee to discuss ways to finance the purchase of the Hillsborough Road property. Mr. McGowan stated that his real estate agent had told them that this property would remain undeveloped.

Charlotte Williams, a resident of 106 Hanford Road, spoke in favor of putting a park on Hillsborough Road and the construction of a swimming pool. Ms. Williams spoke against selling the property on Pathway Drive and would like to see it remain as green space. Ms. Williams volunteered to serve on a committee to create the Hillsborough Road Park.

Laurie Weakley, a resident of 108 Waverly Forest Lane, spoke against the sale of the Pathway Drive property. Ms. Weakley spoke in favor of the town retaining all of its green space and parks. Ms. Weakley volunteered to serve on a committee to discuss financing alternatives.

Sue Taylor, a resident of 315-B Blueridge Road, stated that she would like for the Pathway Drive property to remain as is.

Susan Stone, 112 Rock Spring Court, stated that the neighborhood children, dog walkers, and bird watchers currently use the Pathway Drive property as a park. Ms. Stone stated that selling a part of this property would destroy the property.

Susan McDonald, 315-A Blueridge Road, spoke against the town selling the Pathway Drive property. Ms. McDonald questioned why Ms. Taylor wasn't notified that the town was interested in selling this property. Ms. McDonald volunteered to serve on a committee to discuss alternative financing.

Jane Danielewiz, a resident of 110 Waverly Forest Lane, spoke against selling the Pathway Drive property. The town should be trying to buy more green space, not selling any. Ms. Danielewiz expressed concern about developing this property due to the steep slopes, and volunteered to serve on a committee to discuss alternative financing.

Robin Snider, a resident of 607 Shelton Street, expressed concern about selling green space. Ms. Snider asked the Board to aggressively consider another option to purchase the Hillsborough Road property. Ms. Snider spoke in favor of pursuing the use of Orange County park funds to purchase the Hillsborough Road property.

Claudio Mezzette, a resident of 108 Waverly Forest Lane, asked the Board to delay a decision on this matter in order to think about creative ways to purchase the Hillsborough Road property.

Dan Whittle, a resident of 109 Center Street, spoke in support of the Hillsborough Road property purchase and encouraged the town to retain the Pathway Drive property. Mr. Whittle volunteered to serve on an alternative financing committee. Mr. Whittle urged the Board to drive a hard bargain on the Hillsborough Road property and asked that a formal appraisal be done on the Pathway Drive property.

Richard Vakiewiez, a resident of 102 Waverly Forest lane, spoke in favor of retaining the Pathway Drive property.

Sammy Martin, a real estate agent who sold several of the lots in Waverly Forest, stated that he had contacted the town's recreation department and was told that this property could be developed into a park, could be preserved as open space, or could be used as an access point to the Horace Williams property. Mr. Martin stated that the lots backing up to the town's property are more valuable.

Linda Bodwane asked that a continuous easement be provided across Pathway Drive. Ms. Bodwane stated that Sue Taylor had tried to buy this property this summer, but the town was unwilling to sell it this past summer.

John Worth, a resident of Waverly Forest, questioned why anyone would want to build on the Pathway Drive property because of how steep it is.

Phil Regazzo, a resident of Spring Valley, stated that the Pathway Drive property is currently used as a park. Mr. Regazzo questioned why the town would sell greenway space to get more.

Greg Randolph, a resident of Pathway Drive, expressed opposition to selling the Pathway Drive property.

Hattie Warner, a resident of Pathway Drive, asked why the town could not use the Hillsborough Road property to build a fire station or public works facility.

Joe Duffie, a resident of Pathway Drive, urged the town to pursue Orange County park funds to purchase the Hillsborough Road property.

Jeff Rubish, a resident of Hillsborough Road, asked whether the town owns property for the new fire station, or public works facility. Mr. Rubish urged the Board to purchase the Hillsborough Road property due to the scarcity of land.

Mayor Nelson urged the Board to pursue the purchase of the Hillsborough Road property and request that the Orange County Board of Commissioners allocate \$550,000 for its purchase.

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY JACQUELYN GIST TO AUTHORIZE THE TOWN STAFF TO SEEK A PHASE ONE ENVIRONMENTAL ASSESSMENT ON THE HILLSBOROUGH ROAD PROPERTY, THAT THE TOWN STAFF SHOULD NOTIFY THE BOARD IMMEDIATELY IF THE TOWN'S OPTION TO PURCHASE THIS PROPERTY CANNOT BE EXTENDED, THAT THE PUBLIC HEARING ON THE SALE AND PURCHASE OF THESE PROPERTIES BE CONTINUED UNTIL THE ENVIRONMENTAL ASSESSMENT IS COMPLETED, AND THAT THE TOWN STAFF PREPARE FINANCING OPTIONS FOR THE BOARD'S CONSIDERATION. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (CALDWELL)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO DIRECT THE TOWN MANAGER TO CONTACT SUE TAYLOR ON NOVEMBER 17, 1999 TO WORK OUT THE LOGISTICS TO PROVIDE A SEWER EASEMENT ACROSS THE PATHWAY DRIVE PROPERTY. VOTE: AFFIRMATIVE ALL

Alderman Zaffron and Broun volunteered to work with citizen volunteers to discuss financing options.

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### **A REPORT ON THE POSSIBLE CONNECTION OF AUTUMN DRIVE**

The Town staff has been working with the owner of the Horne Hollow property on various development proposals over the past two years. The latest proposal involves the creation of three lots using the minor subdivision process. The minor subdivision process does not involve the creation of any new public streets, however the street connections linking the two portions of Autumn Drive can be completed. The purpose of this item is to give a general report to the Board of Aldermen on connecting Autumn Drive and to receive guidance on how to address road connectivity within the minor subdivision process.

The Board delayed discussion of this item until November 30th.

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**A REPORT ON PUBLIC AND PRIVATE STREET STANDARDS FOR UNIFIED DEVELOPMENTS AND SUBDIVISIONS**

On October 12, 1999, Greg Shepard, representing the Somerset South development, requested that the Board examine the provisions of the land use ordinance dealing with street and open space requirements in residential developments. A resolution directing staff to prepare an amendment to the text of the Land Use Ordinance, submitting the ordinance for Planning Board and Orange County review and setting a public hearing for January 11, 2000 is submitted for consideration, should the Board of Aldermen wish to proceed with any changes.

Trish McGuire, the town's Planning Administrator, made the presentation.

Greg Shepard stated that he was more concerned about the change in the street requirements.

Alderman McDuffee asked for information on the circumstances for the Somerset South project.

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

A RESOLUTION CALLING A PUBLIC HEARING  
ON A LAND USE ORDINANCE TEXT AMENDMENT  
TO STREET REQUIREMENTS IN RESIDENTIAL DEVELOPMENTS  
AND CONCERNING OPEN SPACE REQUIREMENTS  
IN AFFORDABLE HOUSING DEVELOPMENTS  
Resolution No. 72/1999-2000

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing regulations and policy.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on January 11, 2000 to consider adopting an amendment to Section 15-220 (b) of the Land Use Ordinance that will allow architecturally integrated subdivisions of any number of lots to be developed with private roads.

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board for comment and recommendation to the Board.

BE IT FURTHER RESOLVED that the Board of Aldermen accepts the existing provisions and interpretations regarding flexibility in the provision of open space and encourages developers to consider Sections 15-182.4 and 15-202 should they wish to request such relief when providing affordable housing.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of November, 1999:

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

Noes: Jacquelyn Gist

Absent or Excused: None

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**A REQUEST TO ADOPT A BUDGET ORDINANCE AMENDMENT TRANSFERRING REMAINING FUNDS FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO GENERAL FUND**

The Town of Carrboro has reconciled and closed out its Community Development Block Grant Fund with the State. The remaining funds, \$6,103.94, are available for unrestricted use by the Town. The Economic and Community Development Director requested that the funds be appropriated to fund a replacement computer for the office and to provide temporary administrative assistance for the Department. A budget ordinance is required to appropriate the funds to be spent within the General Fund.

James Harris, the town's Community and Economic Development Director, made the presentation.

Mayor Nelson asked that in the future when similar requests for personnel are submitted to the Board, that written justifications accompany the requests.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY' 1999-2000 BUDGET ORDINANCE."  
VOTE: AFFIRMATIVE ALL

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**REPORT: IMPLEMENTATION UPDATE OF THE YEAR 2000 TASK FORCE REPORT**

The Town Manager requested that planning staff prepare an update of implementation activities of the Year 2000 Task Force Policies that have occurred since 1993. This update has been conducted and is presented for the Board of Aldermen review. A resolution that accepts this review and, if desirable, identifies information for inclusion in the annotations to the Year 2000 policies has been prepared for the Board's considerations.

The Board delayed discussion of this matter until November 30th.

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**A REVIEW OF THE REPORT ON THE PROPOSED PROCESS FOR THE ANNUAL RETREATS**

The Mayor and Board of Aldermen appointed a subcommittee to plan the annual budgeting and planning retreats for this year. The subcommittee met with facilitator Ann Davidson and staff to draft a process for the Board's consideration. The purpose of this item is to review and approve the draft process for the retreats

Mr. Morgan presented the following process for the 1999-2000 Planning Retreats:

**Town of Carrboro  
Proposed Board Planning Process, 1999-2000**

The proposed planning process for this year involves 2 Board retreats with sufficient time between the two retreats for staff to provide additional suggestions and gather pertinent information. The purpose of each stage and suggested tasks for each stage are listed below. Key definitions and examples are attached.



**Stage I**

**First Board Retreat (December 11)**

*Purpose:* Agree upon Board goals and objectives

*Suggested Tasks:*

- Review 1998-99 Goals
- Agree upon additions, deletions or changes to Goals
- List possible key objectives for working toward each goal in the coming year
- Reach consensus about key objectives for each goal (suggest maximum of 2-3 critical objectives per goal)
- Brainstorm possible action items the Board might consider in meeting each objective

**Stage II**

**Staff Gathers Relevant Information, Develops Proposals**

*Purpose:* Staff adds possible action items to achieve goals, develops supporting documentation, costs and any other relevant information for Board consideration

*Suggested Tasks:*

- Staff review Board objectives and possible Action Items
- Staff add Action Items to list
- Staff develop, with guidance from Board, Manager and Assistant Manager, pertinent information and proposals
- Board reviews all possible action items and background information prior to Second Retreat.

**Stage II**

**Second Board Retreat (January 23 & 24)**

*Purpose:* Discuss and agree upon key action items that will be fully developed for Board consideration during 1999-2000

*Suggested Tasks:*

- Board members review list of suggested Action Items for each objective and selects those items that need further clarification and discussion
- Board discusses key items fully enough to decide whether or not to continue work on each.
- Board agrees upon manageable list of Action Items for each Objective
- Board keeps record of all possible Action Items discussed for future consideration.

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

A RESOLUTION TO APPROVE THE  
 PLANNING RETREAT PROCESS FOR 1999-2000  
 Resolution No. 67/1999-2000

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Carrboro to approve the two-stage retreat process recommended by the retreat subcommittee and the Town Administration (deleting of reference to Board having to reach consensus).

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of November, 1999:

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

Noes: Jacquelyn Gist

Absent or Excused: None

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**APPOINTMENT TO ORANGE COUNTY SOCCER SYMPOSIUM TASK FORCE**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPOINT ALDERMAN MCDUFFEE TO SERVE AS THE TOWN'S REPRESENTATIVE ON ORANGE COUNTY'S NEWLY ESTABLISHED SOCCER SYMPOSIUM TASK FORCE. VOTE: AFFIRMATIVE ALL

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**HEALTH INSURANCE FOR BOARD MEMBERS**

Mayor Nelson requested that the town staff redraft for the Board's consideration the resolution adopted by the Orange County Board of Commissioners concerning health insurance for Board members.

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**DISCUSSION OF WATER AND SEWER BOUNDARY AGREEMENT**

Alderman Broun requested that the water and sewer boundary agreement be scheduled for Board discussion on December 14, 1999. Alderman Broun requested that the town staff obtain a copy of the Hillsborough Board of Commissioners' action on this matter.

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**SCHOOL CROSSING GUARDS**

Alderman Spalt requested that the Police Department remind the school crossing guards to wear safety vests, etc. to ensure that they are visible.

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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION AT 10:40 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk

