

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 30, 1999 at 7:30 PM in the Town Hall Board Room.

PRESENT AND PRESIDING:

MAYOR	Michael R. Nelson
ALDERMEN	Joal Hall Broun
	Hilliard Caldwell
	Jacquelyn Gist
	Diana McDuffee
	Allen Spalt
	Alex Zaffron
TOWN MANAGER	Robert W. Morgan
DEPUTY TOWN CLERK	James E. Spivey
TOWN ATTORNEY	William Morgan

TREE CUTTING PROBLEM ALONG JAMES STREET

Cynthia Kahler, resident of 301 James Street, informed the Board that she had been told that Duke Power Company was proposing tree cutting activity along James Street. Ms. Taylor voiced concern that the proposed tree cutting activity would be extreme due to the number of large trees that would be cleared.

By consensus, the Board directed the town manager to contact Duke Power Company and strongly suggest that no tree cutting activity take place until after a meeting with staff, impacted citizens, and a representative from Duke Power Company takes place. The purpose of the meeting would be to reach a solution and/or a compromise that would be acceptable to all parties impacted by this matter.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE NOVEMBER 16, 1999 MINUTES. VOTE: AFFIRMATIVE ALL.

REQUEST TO CANCEL DECEMBER 21ST BOARD MEETING

The administration requested that the Board of Aldermen consider canceling its regular meeting scheduled for December 21, 1999.

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

A RESOLUTION CANCELING THE DECEMBER 21, 1999 MEETING OF THE CARRBORO BOARD OF ALDERMEN

Resolution No. 74/1999-2000

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the December 21, 1999 meeting of the Carrboro Board of Aldermen is hereby canceled due to the Christmas holiday.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 30th 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

RESCHEDULING OF DISCUSSION OF THE REPORT FROM THE MASTER RECREATION AND PARKS WORK GROUP

On August 24, 1999, David Stancil, Director of Orange County's Department of Environmental and Resource Conservation, made a formal presentation to the Board regarding the Report from the Master Recreation and Parks Work Group. The Board referred the matter to the Environmental Advisory Board, Planning Board, and Recreation and Parks Commission for comments. With requested comments, this matter was scheduled for Board consideration on December 07, 1999. However, the town staff and Mr. Stancil consulted on the overall process and certain concerns arose regarding the resolution and other matters contained in the Executive Summary of the report. Additionally, Mr. Stancil was scheduled to meet with the Chapel Hill advisory boards to receive their input regarding this matter. Therefore, the administration requested that this matter be postponed for Board consideration until January 18, 2000.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD POSTPONE CONSIDERATION OF THE REPORT FROM THE MASTER RECREATION AND PARKS WORK GROUP UNTIL JANUARY 18, 2000. VOTE: AFFIRMATIVE ALL.

CONTINUATION OF PUBLIC HEARING TO CONSIDER THE PURCHASE OF PROPERTY

The Board continued a public hearing from November 16, 1999 regarding a proposal to purchase a 9.4-acre parcel located off of Hillsborough Road for a park in the area. In order to purchase this parcel, the Town had to close on the property by December 09, 1999.

Alderman Broun gave a report of a meeting held with citizens regarding this matter. Alderman Broun informed the Board that the meeting focused on possible financing resources for the proposed land purchase. She stated that some suggestions of possible financing sources were state parks money; the juvenile crime commission; legislative assistance from elected officials; possible federal funding; the development of a "Friends of Carrboro Parks" committee; and the possible leasing of the property for non-profit agencies.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JACQUELYN GIST THAT THE CITIZENS WHO MET REGARDING THIS MATTER BE OFFICIALLY NAMED THE "AD HOC CITIZENS COMMITTEE FOR PARK FUNDING" UNTIL THEIR TASK IS COMPLETED. VOTE: AFFIRMATIVE ALL.

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

**A RESOLUTION AUTHORIZING THE PURCHASE OF THE BURNETTE PROPERTY
(TAX MAP 108.22)
Resolution No. 77/1999-2000**

WHEREAS, the Town of Carrboro Recreation and Parks Comprehensive Master Plan and the 1999 New Century/New Carrboro Committee recommend the creation of a neighborhood park to serve subdivisions in the north and northwestern segments of the town in the vicinity of Hillsborough Road; and

WHEREAS, the Town of Carrboro has been collecting payment-in-lieu fees from developments in this northwestern quadrant to develop additional active recreation facilities for these neighborhoods; and

WHEREAS, the Burnette property, containing 9.4 acres is for sale and is suitable for development as a neighborhood park including active recreation facilities.

NOW THEREFORE THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES:

Section 1: To authorize the Town Manager to execute the necessary documents to purchase the Burnette property for \$550,000.

Section 2: To authorize the Town Manager to expend \$276,000 in funds from Payment-In-Lieu Reserves and \$274,000 from fund balance for ninety (90) days for the purchase.

Section 3: To authorize the Town Manager to explore other financing options to cover \$274,000 including installment purchasing.

Section 4: To authorize the Town Manager to cover closing costs (estimated at \$3,000) through the use of funds appropriated in the 1999-2000 budget for future capital improvements.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 30th 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 Allen Spalt and duly seconded by Alderman Joal Hall Broun.

REIMBURSEMENT RESOLUTION

Resolution No. 78/1999-2000

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 9.4-acre parcel of land for a small park for use by the Town costing \$550,000.

Section 2. The project is to be financed with payment in lieu funds and with other debt financing. 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 \$274,000.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for project costs are intended to be partially reimbursed from the financing proceeds up to an amount of \$274,000.

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 30th 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

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT STAFF DRAFT A LETTER, FOR THE MAYOR'S SIGNATURE, TO THE CHAIR OF THE ORANGE COUNTY COMMISSIONERS STATING THAT THE TOWN IS REQUESTING FUNDING ASSISTANCE FROM PARKS BOND MONIES AND/OR ANY OTHER FUNDING SOURCES TO ASSIST FINANCING THE SMITH MIDDLE SCHOOL PARK AND THE HILLSBOROUGH ROAD PARK. VOTE: AFFIRMATIVE ALL.

Alderman McDuffee requested that the town manager contact the county manager to request in writing what is the procedure/process that the County Commissioners will implement regarding funding requests.

By consensus, the Board directed that staff develop a process or strategy including public input to develop the Burnette property.

A REPORT ON THE POSSIBLE CONNECTION OF AUTUMN DRIVE

The Town staff worked with the owner of the Horne Hollow property on various development proposals over the past two years. The latest proposal involved 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 was 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.

Chris Murphy, Development Review Administrator, made the staff presentation.

Mary Hartly Kruter, resident of 322 Sunset Creek Circle and representative for 29 citizens, addressed the Board. Ms. Kruter requested that the Board hold a public hearing regarding this matter and requested that the Board postpone action on this matter until the proposed sidewalk and crosswalk are installed along Hillsborough Road and McDougle School respectively. [Ms. Kruter submitted signed petitions to the Clerk.]

Richard Ellington, 109 Bruton Drive resident, informed the Board of the history of the streets and/or roads in the Barington Hills Subdivision. Mr. Ellington stated that the residents of the Barington Hills Subdivision wanted resolution and/or closure to this matter.

Matt Koch, 205 Bruton Drive resident, reviewed a document developed by Richard Ellington, Stephanie Padilla, and himself regarding the impact of the proposed connection would have on their neighborhood. Mr. Koch stated that any increase in traffic would be a safety hazard, increased traffic increases criminal activity; and that increased traffic would increase the maintenance cost of the streets.

Rob Sobel, 503 Rockgarden Road resident, spoke in favor of the connection. Mr. Sobel also stated that oftentimes residents are told that road connectivity between subdivisions/neighborhoods will not transpire and voiced concern that the nine lot subdivision could possibly increase to a subdivision of more than nine lots.

Kelli Agan, 202 Bruton Drive resident, voiced support of the Town's connectivity vision and/or policy. However, Ms. Agan stated that connectivity should be about people verses road connectivity. She also discussed the term "practicable" and its denotative meaning. Ms. Agan questioned whether the Town's Land Use Ordinance "practicable". She suggested that sidewalks be installed in Barington Hills or allow limited use of the area by emergency vehicles.

Giles Blunden spoke in favor of the proposed connection. He encouraged the Board to view this matter from the perspective of the overall public good verses the local good.

Steve Garfinkle stated the proposed connection, if approved, would create a safety hazard. Mr. Garfinkle stated that connectivity should be pedestrian oriented instead of vehicular orientation.

Bob Rodriguz, 216 Stratford Drive resident, stated that speed and volume are major concerns regarding the proposed connection. Mr. Rodriguz voiced support of pedestrian connectivity efforts but not vehicular connectivity.

Stephanie Padilla, 103 Autumn Drive resident, talked about changing the name of Autumn Drive. Ms. Padilla submitted a petition, signed by the four residents of Autumn Drive in the Barington Hills Subdivision, requesting that the Town change the name of their street.

John Kline, 204 Autumn Drive resident, stated that he and those he represent could “go either way” with the connection. However, Mr. Kline voiced concerns about how the proposed nine-lot subdivision would look once developed.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JACQUELYN GIST THAT AUTUMN DRIVE NOT BE CONNECTED AS PROPOSED BY STAFF. VOTE: AYES 2 (Caldwell, Gist); NOES 5 (Zaffron, Broun, Nelson, McDuffee, Spalt).

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT THAT THIS MATTER BE REFERRED TO STAFF, TRANSPORTATION ADVISORY BOARD, AND PLANNING BOARD FOR FURTHER STUDY AND ANALYSIS TO LOOK AT ALTERNATIVES TRAFFIC SCANARIOS, WITH AND WITHOUT AN AUTUMN DRIVE CONNECTION, THAT SATISFY THE LAND USE ORDINANCE AND AMELIORATE TRAFFIC EFFECTS. VOTE: AYES 5 (Zaffron, Broun, Nelson, McDuffee, Spalt); NOES 2 (Caldwell, Gist).

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT THAT A PUBLIC HEARING BE HELD REGARDING THIS MATTER SUBSEQUENT TO ITS EXAMINATION BY THE ADVISORY BOARDS. VOTE: AFFIRMATIVE ALL.

The Board requested that staff ensure that notice of the public hearing be distributed to Rob Sobel, Richard Ellington, John Kline, and Mary Hartley Kruter.

The Board requested that the memorandum written by the town attorney regarding the subdivision policy be distributed to the Board.

REPORT: IMPLEMENTATION UPDATE OF THE YEAR 2000 TASK FORCE REPORT

The Board postponed receiving and considering this report.

APPOINTMENTS TO VISION 2020 STEERING COMMITTEE

The Mayor and Board of Aldermen discussed and made appointments to the Vision 2020 Steering Committee.

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

A RESOLUTION MAKING APPOINTMENTS TO THE VISION 2020 STEERING COMMITTEE
Resolution No. 73/1999-2000

WHEREAS, the Mayor and Board of Aldermen have created a Vision 2020 Steering Committee that will be composed of two members of the Board of Aldermen, one representative from each of the town’s advisory boards, and three at-large members; and

WHEREAS, this committee has been issued the following charge:

1. To review and assess the success of the Year 2000 Report
2. To assess the state of the community
3. To initiate a community-wide brainstorming session(s) to solicit ideas for Vision 2020
4. To 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. To identify strategies that may be pursued to achieve these goals
6. To develop a Vision 2020 Report
7. To present the report to the Mayor and Board of Aldermen for approval

WHEREAS, the chairs of the town's advisory boards have recommended their appointees to this committee; and

WHEREAS, the Town Clerk has advertised the at-large seats and has received applications from: Stan Babiss, Stuart Brown, JoAnn Garvin, Joan Glacken, and Jack Haggerty.

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

Section 1. The Board hereby appoints the following persons to serve as at-large representatives on the Vision 2020 Steering Committee:

- Stan Babiss
- Stuart Brown
- JoAnn Garvin
- Joan Glacken
- Jack Haggerty

Section 2. The Board hereby appoints the following persons to serve as advisory board representatives on the Vision 2020 Steering Committee:

NAME	REPRESENTING
Sophie Piesse	Appearance Commission/NPDC
Richard Ellington	Board of Adjustment
Berkeley Grimball	Arts Committee
Tony Galiani	Budget Review Committee
Steve Small	Cable T.V. Committee
Cleo Perry	Cemetery Commission
James Morgan	Downtown Development Commission
Glynis Gore	Environmental Advisory Board
Lillie Atwater	Human Services Commission
Jean Earnhardt	Northern Transition Area Advisory Committee
Andy Cohen	Planning Board

NAME	REPRESENTING
Doris Murrell	Recreation and Parks Commission
Shirley Marshall	Transportation Advisory Board

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 30th 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

CHALLENGE OF DOMESTIC PARTNERS INSURANCE COVERAGE

William Morgan informed the Board that the Town lost the first challenge to the domestic partners insurance coverage policy. Mr. Morgan stated that this is the initial step and will be appealed.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON THAT THE MEETING BE ADJOUNED AT 10:55 PM.

MICHAEL R. NELSON, *Mayor*

JAMES E. SPIVEY, *Deputy Town Clerk*