

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 14, 2000 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent:

Alderman	Allen Spalt
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BUDGET REQUEST FOR FY2000-01

Nerys Levy, representing Celebrating Diversity: A Community Arts Festival, Celebrating Diversity: A Community Arts Festival, requested \$500 for next year's festival.

REQUEST TO USE EXCERPTS FROM TOWN PUBLICATION

Bill Mullen with Weaver Street Realty asked for permission to use excerpts from Carrboro's publication entitled, "An Architectural and Historical Inventory"

The Board authorized Weaver Street Realty to use excerpts from this publication, contingent upon the approval of the town attorney.

REQUEST TO RENAME THE COMMUNITY CENTER

Catherine Grimball, chair of the committee planning the opening of the Community Center, requested that the community center be renamed the Century Center. Ms. Grimball asked that the name be changed for advertising purposes.

Mayor Nelson stated that the Arts Committee had recommended that the name be changed to the Century Center.

The Board delayed action on this matter until March 21st.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE MARCH 7, 2000 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SPALT)

REQUEST FOR WORDING CHANGE/ROBERSON PLACE CUP MINOR MODIFICATION

The Yaggy Corporation gained approval for a Minor Modification to the Roberson Place Conditional Use Permit (CUP) on January 11, 2000. The modification amended condition #16 to allow the Phase 4 improvements, final plat and house construction to begin prior to the completion of the connection across the Rogers-Triem property. The applicant requested that the wording of the condition be slightly modified to more accurately reflect the intent behind the approval. The administration recommended that the Board of Aldermen approve the requested wording change.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION APPROVING A CHANGE IN WORDING TO THE MINOR MODIFICATION TO THE CUP FOR THE ROBERSON PLACE SUBDIVISION THAT WAS APPROVED ON JANUARY 11, 2000
Resolution No. 116/1999-2000

WHEREAS, the Carrboro Board of Aldermen has approved a Conditional Use Permit for a major subdivision for the Roberson Place project located at 216 Roberson Street on January 16, 1996; and

WHEREAS, the Board of Aldermen approved a minor modification to the Roberson Place Conditional Use Permit document on January 11, 2000 that allows the construction of the phase 4 improvements and final plat prior to the connection of the roadway across the Rogers-Triem property; and

WHEREAS, the applicant is requesting that the language of the modified condition (condition #16) be changed to better clarify the wording and intent behind the changes; and

WHEREAS, the Town Attorney has approved the requested wording change and has concluded that there is no substantive change in the requirements contained therein.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the wording of condition #16 of the Roberson Place CUP is hereby amended to read as follows:

16. As a continuing condition of approval, subject to the conditions set forth herein, the applicant shall fully cooperate with the Town in its efforts to obtain the following agreement to allow access from Old Mill Village (now called Roberson Place) to South Greensboro Street:

- a. An easement from Rogers-Triem, Inc. appurtenant to the Roberson Place property, authorizing egress for the vehicular traffic from the Roberson Place property to South Greensboro Street, and allowing ingress and egress to and from South Greensboro Street for emergency service vehicles and bicycles, such easement to expire automatically upon the acquisition by the town of a public right-of-way providing access from Greensboro Street to the Roberson Place property. The location and configuration of this easement shall be substantially as shown on the attached diagram, which shall become Exhibit "A" to the permit, except that it is understood that this easement may provide that it can be relocated by Rogers-Triem, Inc. at its expense so long as the relocated easement continues to

serve the same function. It is further understood that this easement shall be granted contingent upon abandonment by the Town of the existing Rand Road right-of-way, and that the easement shall also recite that, upon redevelopment of the Rogers-Triem property, it is expected that the town will require that a public street be constructed and dedicated providing access from South Greensboro Street through the Rogers-Triem property and connecting to the public street at the southern terminus of the Roberson Place property.

- b. To the extent necessary, an agreement to the matters set forth in paragraph (a) shall be executed by the owners of the property immediately adjoining the Rogers-Triem tract to the southeast.

In addition, the applicant shall post a financial security equal to or in excess of 125% of the cost of construction of the improvements associated with the connection which shall remain in effect for a period of five (5) years. During the five-year period, the Town may draw against the Letter of Credit if, once the necessary easements have been secured, the Yaggy Corporation declines to undertake the construction or fails to complete the construction within six (6) months. The Letter of Credit would expire five years from the date of the recording of this minor modification approval.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of March, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Allen Spalt

REQUEST TO SET A PUBLIC HEARING ON THE PROPOSAL TO ESTABLISH A DOWNTOWN TAX DISTRICT

The purpose of the item was to request the Board of Aldermen to set a public hearing for May 9, 2000 to receive comments from the downtown businesses, and property owners within the proposed tax district, and the general public on the proposal to establish a downtown tax district to support economic development activities.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION SETTING A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSAL TO ESTABLISH A DOWNTOWN TAX DISTRICT
Resolution No. 123/1999-2000

Whereas; the Mayor and Board of Aldermen are considering a proposal to establish a central business tax district to support economic development activities; and

Whereas, the Town has received general support from the Carrboro Business Association; and

Whereas; the N.C. General Statutes require that certain steps be taken prior to implementing a tax district; and

Whereas; a public hearing is one requirement.

NOW THEREFORE BE IT RESOLVED BY THE CARRBORO MAYOR AND BOARD OF ALDERMEN:

Section 1. The Board hereby sets a public hearing for May 9, 2000 to receive comment from the property owners, business owners and the general public.

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 March, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Allen Spalt

RESOLUTIONS MAKING APPOINTMENTS TO THE PLANNING BOARD

The Mayor and Board of Aldermen considered making two appointments to the Carrboro Planning Board.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION APPOINTING LUCY KING TO THE PLANNING BOARD Resolution No. 125/1999-2000

WHEREAS, there are currently three vacant seats on the Planning Board—one in-town seat, and two extraterritorial planning jurisdiction (ETJ) seats; and

WHEREAS, these positions have been advertised and Ms. Lucy King has submitted an application for the in-town seat; and

WHEREAS, Ms. King's application was forwarded to the Chair of the Planning Board for consideration; and

WHEREAS, Adam Searing, Chair of the Planning Board, has reviewed Ms. King's application and is recommending that she be appointed to the vacant in-town seat on the Planning Board.

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

Section 1. The Board of Aldermen hereby appoints Lucy King to an in-town seat on the Planning Board. Ms. King's term shall expire in February 2001.

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 March, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Allen Spalt

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION REQUESTING AN APPOINTMENT TO AN
TRANSITION AREA SEAT ON THE CARRBORO PLANNING BOARD**
Resolution No. 126/1999-2000

WHEREAS, as a result of end of a term, it is necessary to appoint a person to a seat reserved on the Carrboro Planning Board for persons residing within the town's extraterritorial planning jurisdiction; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint ETJ members to the town's Planning Board.

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

Section 1. The Orange County Board of Commissioners is respectfully requested to appoint the following individual to an ETJ seat on the Carrboro Planning Board, whose term would expire in February, 2003:

Mr. Robert (Rob) Hogan, Jr.
1043 Old Fayetteville Road
Chapel Hill, N.C. 27516

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Carrboro Board of Aldermen may make this appointment.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

Section 4. 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 March, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Allen Spalt

OPENING OF FARMERS' MARKET

Mayor Nelson announced that the Farmers' Market would open its 2000 season on Saturday, March 18th.

2000 CENSUS

Alderman Dorosin stated that Census forms are being mailed this week and urged all citizens to return the forms as soon as possible.

DISCUSSION OF THE REPORT ON THE POSSIBLE CONNECTION OF AUTUMN DRIVE FROM THE BARINGTON HILLS SUBDIVISION TO THE WILLIAMS WOODS SUBDIVISION

The Board of Aldermen at its meeting on March 7th received public comment on the staff's report on the proposed connection of Autumn Drive from the Barington Hills Subdivision to the Williams Woods Subdivision. The purpose of this item was for the Board of Aldermen to consider the proposal to connect Autumn Drive.

The Board delayed action on this matter until March 21st due to the absence of Alderman Spalt.

A MINOR MODIFICATION TO THE BELL SOUTH TELECOMMUNICATIONS TOWER CONDITIONAL USE PERMIT

Dan Tilley, representing Nextel Communications, has applied for a minor modification to the BellSouth Telecommunications Tower conditional use permit located at 625 Old Fayetteville Road. The proposed minor modification consists of adding a new antenna array to the tower and a new equipment cabinet in the enclosed containment area around the tower. Per Section 15-176 (15) of the Land Use Ordinance (LUO), additional antenna arrays located on existing towers must be approved through the minor modification process. The Administration requested that the Board of Aldermen review the request and make a decision regarding the minor modification.

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

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE BELL SOUTH
TELECOMMUNICATIONS TOWER LOCATED AT 625 OLD FAYETTEVILLE ROAD ALLOWING
NEXTEL TO LOCATE AN ADDITIONAL ANTENNA ARRAY ON THE TOWER AND INSTALL AN
ASSOCIATED EQUIPMENT CABINET ON THE SITE

Resolution No. 118/1999/2000

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 625 Old Fayetteville Road on February 9, 1999 and approved a minor modification on December 7, 1999 allowing the tower to be lit to the minimum requirements of the FAA; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that additional users on a tower shall constitute a minor modification to the original Conditional Use Permit; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications for towers contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the minor modification to the BellSouth Telecommunications Tower conditional use permit located at 625 Old Fayetteville Road allowing Nextel to install an additional antenna array on the tower and associated equipment on the site.

BE IT FURTHER RESOLVED that the applicant is responsible for the removal and disposal of the equipment if the equipment is no longer used.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of March, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Allen Spalt

A REQUEST FOR NO PARKING IN THE ROBERSON PLACE SUBDIVISION

The town's Fire and Police Departments are having problems accessing the streets located in the Roberson Place subdivision. The purpose of this item was for the Board of Aldermen to consider a request to designate no parking requirements along the streets within this subdivision.

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

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE DESIGNATING NO PARKING AT ANY TIME." VOTE: AFFIRMATIVE SIX, ABSENT ONE (SPALT)

A DISCUSSION OF A REPORT ON EMPLOYEE BENEFITS AND COMPENSATION

The Mayor and Board of Aldermen requested that staff provide a comparison of benefits of local governments in the area. In addition, the staff provided a sample comparison of salary differences between the Towns of Carrboro and Chapel Hill. The benchmark positions of firefighter and police officer I are used in the sample. A salary comparison of additional benchmarks will be provided during budget deliberations. The purpose of this item was for the Mayor and Board of Aldermen to receive these reports.

Desiree White, the town's Personnel Director, made the presentation.

Aldermen McDuffee and Dorosin asked for a comparison of benefits with town's similar in size to Carrboro.

Mayor Nelson stated that Carrboro is in competition with the cities and agencies listed in the benefits comparison.

Alderman Broun requested information on turnover, including which positions are turning over and the salary grade for those positions.

Alderman Dorosin asked that the total percentage of personnel costs be provided for the agencies listed on the 2000 Benefits Survey.

Alderman Dorosin stated his desire to fund tuition assistance.

Alderman Broun asked that the town staff look into the possibility of joining with other agencies to lower costs of benefits.

Alderman McDuffee requested a presentation on the salary compression problem.

Alderman Broun asked for information listing each pay grade, how many employees are below the mid-point and their years of service, and how many employees are above the mid-point and their years of service.

Alderman Gist asked for a staff recommendation on providing funeral leave.

A DISCUSSION OF REVENUE OPTIONS TO FUND THE TOWN'S LONG-RANGE CAPITAL IMPROVEMENTS PLAN

The Town, in November 1999, prepared a preliminary Capital Improvement Plan that considered all infrastructures and facility needs identified by community residents and Town staff. The Board of Aldermen, in reviewing the plan, requested that Town staff prepare a financing plan to fund these long-term needs. The goal of such a financing plan is to provide for the adequate funding of the Town's capital program while avoiding erratic increases and decreases in the property tax rate.

This agenda item presented a list of all revenue options to consider in developing a plan to finance the capital budget. In addition, Town staff also presented a shorter list of suggested revenues for the Board to consider that creates a diverse financing portfolio to supplement property tax revenues.

Bing Roenigk presented the following list of revenues for the Board to consider:

Revenue	Potential \$ Generated
Hotel/Motel Occupancy Tax	N/A
Optional ½ cents sales tax	\$590,000
Land Transfer Tax	If 1% per \$100 valuation, \$1,016,624
Capital Impact Tax	To be determined
Privilege License – Gross Receipts Methodology	\$50,000
Appropriated Fund Balance >25%	\$146,723 (one-time appropriation in FY2000-01)
Prepared Food and Beverage Tax	\$100,000?
Parking-In-Lieu-Of Fee	?

Total	\$1,903,347
Tax rate impact	25 cents

Mayor Nelson asked if there is anything that would prevent the town from using gross receipts as a basis for charging cable companies versus fixed rates.

Alderman Broun asked for information on sales taxes for the past ten years, including the amount generated in Orange County and the State-shared amount.

Mayor Nelson asked for information on the percentage of property tax revenue generated by commercial square footage, including the dollar amount generated.

Alderman Dorosin asked for a list of town-owned property, including a map of those properties.

Mayor Nelson stated that the town staff is trying to set up a meeting with the legislative delegation in early May at which time the Board could discuss the revenue options with the delegation.

Alderman Gist suggested that the list of revenues be sent to the legislative delegation prior to the meeting with the Board.

Alderman McDuffee asked that the town staff identify grants available to the town and the schedule for applying for those grants.

Alderman Zaffron asked that the town staff begin working on those revenue options that do not require special legislation.

Mayor Nelson that the town staff schedule a meeting with developers (David and Sherri Ontjes, Donald Whittier, Marianna Fiorentino, Tom Whisnant, and Dickie Andrews) and potential developers to share information on development ideas, available properties and who might be interested in developing those properties.

A DISCUSSION OF A TRANSIT SUMMIT

At this year's annual retreat, the Board decided to discuss inviting Chapel Hill and University officials to a Transit Summit. Before sending these invitations, the Board wanted to discuss the content of the proposed summit. The purpose of this item was to discuss the summit.

Alderman McDuffee stated that the policy-makers need to discuss the goals of the bus system.

Mayor Nelson stated that the five-year plan needs to be discussed.

Mayor Nelson suggested that a worksession be held in April with the Transportation Advisory Board, Environmental Advisory Board and Human Services Commission prior to scheduling the summit.

The Board requested that the Mayor forward a letter to the Town of Chapel Hill and to the University expressing the town's desire to schedule the transit summit possibly on a Saturday in June.

APPOINTMENTS TO ORANGE COUNTY SOLID WASTE MANAGEMENT ADVISORY BOARD

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO APPOINT JOAL HALL BROUN AND JACQUELYN GIST AS THE TOWN'S REPRESENTATIVES ON THE ORANGE COUNTY SOLID WASTE MANAGEMENT ADVISORY BOARD. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GIST), ABSENT ONE (SPALT)

REVIEW OF NEW PHONE SYSTEM

Mr. Morgan requested that the Board's Technology Committee review the proposal for the town's new phone system.

It was the consensus of the Board that the Board's Technology Committee review the proposal for the phone system, along with the Board's technology needs.

U-HAUL TRUCK ON LORRAINE STREET

Mike Nelson requested authorization from the Board to file a law suit against property owners on Lorraine Street who have had a u-haul truck parked on their property for a number of years.

MOTION WAS MADE BY JOAL HALL BROUND AND SECONDED BY DIANA MCDUFFEE TO AUTHORIZE THE TOWN ATTORNEY TO FILE A LAWSUIT AGAINST THE PROPERTY OWNERS TO HAVE THE U-HAUL TRUCK REMOVED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SPALT)

REVIEW OF ADVISORY BOARD GUIDELINES

Alderman Dorosin requested that the Agenda Planning Committee schedule a review of advisory board guidelines.

REQUEST FOR CAR POOLING

Alderman Dorosin encouraged Board members to car pool whenever possible.

REQUEST FOR INCREASED HOURS AT THE CARRBORO BRANCH LIBRARY

Alderman McDuffee requested that the Mayor forward a letter to the County Commissioners requesting increased hours of operation at the Carrboro Branch Library.

It was the consensus of the Board to authorize the Mayor to forward the letter to the Orange County Board of Commissioners.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO ADJOURN THE MEETING AT 10:00 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk