

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 25, 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
	Allen Spalt
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

COMMENTS CONCERNING THE STONE QUARRY EXPANSION

Elliott Kramer, Erwin Danziger and Julie Tucker made comments in opposition to the proposed Stone Quarry Expansion project.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROVE THE APRIL 18, 2000 MINUTES. VOTE: AFFIRMATIVE ALL

MID-MARCH TO MID-APRIL ACTIVE PROJECTS REPORT

The Zoning Division submitted a Mid-March to Mid-April Active Projects report to the Board.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION ACCEPTING THE MID-MARCH TO MID-APRIL ACTIVE PROJECTS REPORT
Resolution No. 145/1999-2000

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the Board accepts the mid-March to mid-April Active Projects Report.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 25th day of April, 2000:

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

Noes: None

Absent or Excused: None

INTRODUCTION OF NEW EMPLOYEE

Mr. Morgan introduced Koekeita Miller, the town's newly hired Century Center Facilities Operations Officer.

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST: ARBY'S RESTAURANT

The John R. McAdams Company, on behalf of the RTM Restaurant Management Group, submitted an application for a conditional use permit to allow for the construction of a restaurant with drive-through window on outparcel C at Carrboro Plaza. Formerly part of the Chapel Hill Transit Authority's Park and Ride Lot, the site was reconfigured as one of two outparcels granted through a major modification to the Carrboro Plaza Conditional Use Permit in May 1998. The Administration requested that the Board review, deliberate and make a decision regarding the CUP application.

Chris Murphy, the town's Development Review Administrator, was sworn in. Mr. Murphy presented the site plan for the project and stated that the administration recommended approval of the conditional use permit with the following conditions:

1. That the bike rack be a 'wave' model that can accommodate at least five bikes and that the detail be added to the plans.
2. That the landscaping plan be modified to provide for some planting "beds" for the plant materials and that some 'clustering' of plant material (junipers, azaleas, etc.) along Highway 54 consistent with the CCB landscaping plan, be incorporated into the overall landscaping design. This requirement is in addition to the linear, semi-opaque screen proposed.
3. That the detail shown on C-8 of the plans be modified to show that the light is to be mounted at ground level (light pole base to be flush with the proposed grade).
4. That the maximum height of the flagpole be no taller than 35 feet.

Todd Jackson, with RTM Restaurant Management Group, was sworn in. Mr. Jackson stated that the awnings on the building would have a soft glow. There will be 88 seats in the restaurant. Mr. Jackson stated that it is their goal to have between 60 and 70 parking spaces at their restaurants. Mr. Jackson stated that there was no problem in lowering the flagpole to 35 feet and the flag will be lit with the light shining up.

Vijah Shaw, manager of Carrboro Plaza, was sworn in. Mr. Shaw stated that annual sales at the shopping center are estimated at \$20 million. Mr. Shaw stated that the tenants of the shopping center are very excited about the changes to the shopping center—the new park and ride lot, construction of the Pantry and the proposed Arby's project. Mr. Shaw asked that the Board be very sensitive to the parking requirements.

Tom Herring, with Sungate Design, was sworn in. Mr. Herring stated that he had not seen a grease containment system used at a restaurant.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK DOROSIN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Zoning Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That the bike rack be a 'wave' model that can accommodate at least five bikes and that the detail be added to the plans.
4. That the landscaping plan be modified to provide for some planting "beds" for the plant materials and that some 'clustering' of plant material (junipers, azaleas, etc.) along Highway 54 consistent with the CCB landscaping plan, be incorporated into the overall landscaping design. This requirement is in addition to the linear, semi-opaque screen proposed.
5. That the detail shown on C-8 of the plans be modified to show that the light is to be mounted at ground level (light pole base to be flush with the proposed grade) or that the combined height of the base and light pole not exceed the 15-foot maximum specified in the Land Use Ordinance.
6. That the maximum height of the flagpole be no taller than 35 feet.
7. That lighting on the building meet spillage requirements.
8. That, to avoid night sky pollution, the flag on the pole not be lit.
9. That the bike racks be moved to an area in which bicyclists can see their bicycles from the inside of the restaurant.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO GRANT THE APPLICATION, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE ALL

RESERVATION PROCEDURE FOR THE CARRBORO CENTURY CENTER

In consideration of the various groups who have expressed interest in reserving space in the Carrboro Century Center, the Recreation and Parks Commission has held several meetings to receive input from the various

interested parties and consider a procedure to initially begin accepting reservations. The Board was requested to consider and comment on the proposed procedure.

Doris Murrell, Chair of the Recreation and Parks Commission, presented the Commission's recommendation for the Carrboro Century Center Initial Reservation Procedure. That procedure is as follows:

Carrboro Century Center Initial Reservation Procedure

AVAILABILITY:

Initial reservation registration will be for a six-month period (August 28, 2000 to February 28, 2001). Town use shall be determined prior to the proceeding lottery system.

- ◆ 1st, 2nd, 3rd weekend dates will be available for general public reservations
- 4th and any 5th weekend dates will be available for town and one-time user reservations.
- ◆ Weekday dates are available after town designated uses

Exception – One time users requiring more than six-months advance reservation may petition the Recreation and Parks Commission based on the merit of the circumstances, wedding, national speaker, etc. and the fact that it is a one-time event only.

LOTTERY:

A lottery system will be used and held on an advertised weeknight to determine priority of reservation. Two separate lotteries will be take place as defined below:

- ◆ Lottery for weekend dates over six-month period (weekend defined as Friday after 5:00 p.m., All day Saturday, All day Sunday)
- ◆ Lottery for weekday dates over six-month period (weekday defined as anytime Monday, Tuesday, Wednesday, Thursday and Friday before 5:00 p.m.)

Priority is established by lottery drawing of numbers in which #1 is given first turn to choose in the manner below, #2 second turn, etc. Each organization, club, etc. is allowed only one representative to participate in the lottery.

Lottery participants will have up to six choices for the six-month period for reservation to be taken in order of number drawn. Selections may be made at the participant's discretion. Participants make selections in order of number drawn until no more dates are available or no reservation participants remain.

Remaining openings not reserved through the lottery to be made available on first come first serve basis the first business day after the lottery. No more than six reservations may be taken by any one organization during the six months reservation period for either weekend and weekday reservation.

Any reservations can be made, without restriction, thirty calendar dates prior to date of reservation.

RESERVATION PAYMENT:

To reserve multiple reservations, payment of a non-refundable reservation fee equal to the cost of the highest single use is due the night of the lottery. If one rents the community hall for two nights, and the small activity room for four nights, a non-refundable fee for the higher cost of the community hall must be paid the night of the lottery. The reservation fee will be applied to the last rental.

All fees (including the \$100 security deposit) for all reservations must be paid thirty days in advance. These fees are non-refundable. Any and all reservations will become automatically null and void if not paid thirty days in advance of use. Times forfeited will be made available for other reservations on the next business day (Monday through Friday, 8:30 a.m. to 5 p.m.). No reservation business can be conducted outside of these hours.

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION APPROVING THE CARRBORO CENTURY CENTER
INITIAL RESERVATION PROCEDURE AND AUTHORIZING
THE RECREATION AND PARKS COMMISSION TO IMPLEMENT THE PROCEDURE**
Resolution No. 146/1999-2000

WHEREAS, the new Carrboro Century Center will provide for new opportunities for groups needing space for activities and opportunities for Town sponsored events, and

WHEREAS, it is the Carrboro Board of Aldermen and Recreation and Parks Commission's intent that space should be provided in the fairest and most equitable manner to all potential users of the facility, and

WHEREAS, the Carrboro Board of Aldermen has considered a recommendation for initial reservation recommended by the Carrboro Recreation and Parks Commission and finds it appropriate for use in this initial phase for reserving space.

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

Section 1. That the attachment entitled Carrboro Century Center Initial Reservation Procedure is hereby approved and that the Recreation and Parks Commission is authorized to proceed with its implementation.

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 25th day of April, 2000:

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

Noes: None

Absent or Excused: None

Mayor Nelson asked that the Commission consider how requests for multi-day/night uses will be handled.

POLICY ON ALCOHOLIC BEVERAGES AT THE CARRBORO CENTURY CENTER

The Town Attorney has rendered a legal opinion and the Recreation and Parks Commission recommended to the Board that use of alcohol beverages be permitted. The Board was requested to provide direction to the Administration regarding this matter.

The administration recommended that the Board of Aldermen permit the use and sale of alcoholic beverages at functions by groups or individuals renting the center and that the Board of Aldermen direct the Town Attorney's Office to develop the necessary forms and agreements to provide for this. At this time, the administration recommended that the Town not be engaged in the serving or selling of alcoholic beverages in order to limit the liability exposure. After the center is functioning, there might arise instances where the Board of Aldermen might wish to reconsider whether the Town should be directly involved in this activity.

The following resolution was introduced by Alderman Mark Dorosin and duly seconded by Alderman Joal Hall Broun.

**A RESOLUTION AUTHORIZING THE ABILITY FOR CARRBORO CENTURY CENTER
RENTORS TO OBTAIN PERMITS FOR THE USE AND SALE OF ALCOHOLIC BEVERAGES
Resolution No. 147/1999-2000**

WHEREAS, the Carrboro Board of Aldermen wish to provide the most versatile opportunities at the Carrboro Century Center, and

WHEREAS, it is anticipated that the Carrboro Century Center will attract users who may wish to serve alcoholic beverages at functions such as weddings, etc.

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

Section 1. That the Town of Carrboro Board of Aldermen authorizes the ability for groups or individuals renting the Carrboro Century Center to apply and obtain permits for the use and sale of alcoholic beverages from the North Carolina Alcoholic Beverage Commission.

Section 2. Also, that the Board does not, at this time, authorize the Town to be engaged in the sale or serving of alcoholic beverages during Town sponsored events at the Carrboro Century Center.

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 25th day of April, 2000:

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

Noes: None

Absent or Excused: None

REPORT: SHAPING ORANGE COUNTY'S FUTURE PROVISIONAL REPORT AND RECOMMENDATIONS"

The report represents the completion of Step 9 of the 15-Step SOCF process that was initiated in 1996 to formulate a comprehensive quality growth strategy and community building plan for Orange County. The Task Force is submitting this document to all the governing bodies and request that the Board provide initial feedback for consideration during an April 27th meeting to revise the report as needed prior to the May 18th countywide public forum. A resolution was submitted for review and adoption.

Marty Mandell pointed out important recommendations relating to carrying capacity recommendations within the report.

Kathy Buck gave the time schedule for the Shaping Orange County Task Force report.

Mayor Nelson asked what problem was being addressed by Recommendation #3 (Reshape local governance for community building).

Alderman Broun asked for a realistic view of values and recommendations that go to the heart of people who live in Orange County, especially relating to children and youth.

Mike Brough asked what significance the Shaping Orange County's Future Report would have on Carrboro. Mr. Brough stated that the Board should be circumspect on exactly what it is going to do with this document as it relates to matters affecting the Town of Carrboro.

Alderman Gist suggested that the Board hold a worksession following the summer break to further discuss this report.

The Board agreed to hold a worksession following the summer break.

CONSTRUCTION BUDGET AMENDMENT: CARRBORO CENTURY CENTER

Renovations to the Century Center have required change orders to address issues unanticipated or not included in the base construction contract. The purpose of this item was to receive a status report on the construction budget of the Century Center and to amend the construction budget to allocate contingency funds for change orders reviewed by the Design Review Committee and to add earned interest to the contingency funds.

The Town Manager asked that this matter be delayed until a later date.

PRESENTATION OF MANAGER'S RECOMMENDED BUDGET FOR FY2000-01

State law mandates that the town manager submits a balanced budget for the Carrboro community to the Mayor and Board by June 1st. The FY 2000-01 Recommended Budget was presented to the Mayor and Board tonight. The FY2000-01 Recommended Budget was presented now so that the Mayor, Board and community will have sufficient time to discuss the initiatives put forth in the recommended budget.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO THE SET THE FOLLOWING BUDGET REVIEW SCHEDULE:

Thursday, May 4 th	Budget Work Session
Tuesday, May 9 th	Public Hearing on FY-2001 Recommended Budget
Thursday, May 11 th	Budget Work Session
Tuesday, May 23 rd	Report to Board on recommendations for Human Services
	Board directs Manager to prepare a revised budget
Tuesday, June 6 th	Adoption of FY'2000-01 Budget, Pay Plan, and Miscellaneous Fees and Charges

VOTE: AFFIRMATIVE ALL

SPECIAL ASSEMBLY OF GOVERNMENTS MEETING

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY MARK DOROSIN TO SCHEDULE A SPECIAL ASSEMBLY OF GOVERNMENTS MEETING FOR SEPTEMBER 28, 2000. VOTE: AFFIRMATIVE ALL

REQUEST TO POSTPONE ACTION ON THE PROPOSED STONE QUARRY EXPANSION PROJECT

Alderman McDuffee stated that she would be out of town on May 9th and requested that the Board consider rescheduling its vote on the Stone Quarry Expansion project until May 16th.

It was the consensus of the Board to reschedule action on the Stone Quarry Expansion Project from May 9th to May 16th.

DISCUSSION WITH POSTAL SERVICE

Alderman Spalt requested that the Town Manager talk with representatives of the Postal Service to determine why the mid-day collection of mail was stopped.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK DOROSIN TO ADJOURN TO CLOSED SESSION AT 9:50 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk