

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 6, 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

FETE DE LA MUSIQUE

Richard Taylor announced that Fete de la Musique would be held on Sunday, June 18th from 2:00 until 10:00 p.m.

INTRODUCTION OF NEW EMPLOYEES

Chief Murray introduced new Fire Department employees: Meredith Nicholson, the department's clerical position; Stephanie Paschall, Jose Alvarez, Keith Crabtree and Brad Henderson, firefighters.

COMMENTS FROM CITIZEN

Saul Threlheld, a resident of 106-B Fidelity Street, expressed concern about speeding on Main Street. Mr. Threlhold also expressed concern about littering, especially by smokers.

The Board asked for a report on speeding on Main Street, Weaver Street and Poplar Avenue.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE MAY 23, 2000 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO ADOPT A BUDGET ORDINANCE APPROPRIATING FUND BALANCE FOR FETE DE LA MUSIQUE

A budget amendment was requested to appropriate \$2,000 in general fund balance for the Fete de la Musique. Donations from an art raffle conducted in the previous year were received in FY98-99. However, because they were unexpended at the end of the year, they were returned to fund balance.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'99-2000 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

REQUEST TO ADOPT A BUDGET ORDINANCE TO ACKNOWLEDGE GRANT FUNDING FROM GOVERNOR'S HIGHWAY SAFETY PROGRAM

A budget amendment was requested to appropriate \$8,940 in grant revenue to purchase two radar units and two cameras. The grant funds have been received from the Governor's Highway Safety Program.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT AN ORDINANCE AMENDING FY'99-2000 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

RECOMMENDATION FOR HEALTH INSURANCE COVERAGE FOR FISCAL YEAR 2000-01

The purpose of this item was to present the staff's recommendation for health insurance coverage for the 2000-2001 fiscal year. The staff requests that the Mayor and Board of Aldermen continue to offer WellPath Community Health Plans and replace the former Kaiser Plan with Partners Health Plan. Staff further recommends that the Town continue to contribute 50% toward the cost of dependent health care.

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

A RESOLUTION ACCEPTING STAFF'S RECOMMENDATION
FOR HEALTH INSURANCE COVERAGE
Resolution No. 166/1999-2000

BE IT RESOLVED that the Board of Aldermen accepts the town staff's recommendation for health insurance for Fiscal Year 2000-01.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 6th day of June, 2000:

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING/VOLUNTARY ANNEXATION/PHASE 5B AND FUTURE 5C OF LAKE HOGAN FARMS SUBDIVISION

Michael Dean Chadwick, representing the Bolin Creek Investments, LLC, has submitted a petition for annexation that requests that 40.20 acres located at Lake Hogan Farms be annexed into the town. The 40.20 acres to be annexed is non-contiguous to the Town of Carrboro and is part of the Lake Hogan Farms

Subdivision Phase 5B and the future Phase 5C. The Board was requested to set a public hearing for June 27, 2000 to receive public comment on this petition.

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

**A RESOLUTION SETTING A PUBLIC HEARING
TO CONSIDER THE ANNEXATION OF
PHASE 5B AND FUTURE PHASE 5C OF
THE LAKE HOGAN FARMS SUBDIVISION
UPON THE REQUEST OF THE PROPERTY OWNERS**
Resolution No. 167/1999-2000

WHEREAS, the Town of Carrboro has received a petition from the owners of Phase 5B and the future Phase 5C of the Lake Hogan Farms Subdivision requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

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

Section 1. The Board of Aldermen hereby accepts this petition and shall hold a public hearing on June 27, 2000 to consider the voluntary annexation of this property.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in the Chapel Hill Herald at least ten (10) days prior to the date of the public hearing.

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 6th day of June, 2000:

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

Noes: None

Absent or Excused: None

PUBLIC HEARING/PUBLIC HEARING ON A STREET CLOSING PERMIT APPLICATION FOR FETE DE LA MUSIQUE

The Carrboro Art Committee has submitted a street closing application for the temporary closing of the following streets from 2:00 p.m. to 10:00 p.m. on Sunday, June 18th to accommodate the third annual Fete de la Musique:

- 100 block of East Weaver Street from the Main Street intersection to the Greensboro Street intersection;

- West Weaver Street from the Greensboro Street intersection to the West Main Street intersection; and
- Roberson Street from the north side of the municipal parking lot to the East Main Street intersection.

In accordance with Section 719 of the Town Code, a public hearing must be held to receive public input prior to issuing a street closing permit.

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

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF
PORTIONS OF EAST WEAVER STREET, WEST WEAVER STREET AND ROBERSON STREET
TO ACCOMMODATE THE FETE DE LA MUSIQUE
Resolution No. 161/1999-2000

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following streets shall be temporarily closed on Sunday, June 18 from 2 p.m. to 10 p.m. to accommodate the third annual Fete de la Musique:

- 100 block of East Weaver Street from the Main Street intersection to the Greensboro Street intersection
- West Weaver Street from the Greensboro Street intersection to West Main Street intersection
- Roberson Street, from the north side of the municipal parking lot to the East Main Street intersection

Section 2. The Public Works Department shall provide temporary traffic control devices on the day of the closing (cones, barricades and signs) and the Event Sponsor shall be responsible for reimbursing the associated labor cost to the Town; estimated cost \$510.

Section 3. The Event Sponsor shall provide volunteers to serve as parking monitors at the intersections of side streets to Weaver Street and at the Roberson Street/Greensboro Street intersection.

Section 4. The Public Works Department shall provide a portable dumpster for waste collection and recycling containers for recyclables; Event sponsor shall ensure vendors recycle their cardboard if applicable.

Section 5. The Town will coordinate the placement of portable toilets; the Event Sponsor shall be responsible for reimbursing the Town for the actual cost.

Section 6. The Event Sponsor shall be responsible for the removal of waste and debris from the closed portions of East and West Weaver Street and Roberson Street and their associated right-of-way areas prior to re-opening; streets can not be re-opened until clear of all debris and event structures, i. e. booths.

Section 7. The Event Sponsor shall be responsible for notifying Central Communications, prior to and on the event day, when the streets are closed and when reopened.

Section 8. 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 6th day of June, 2000:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO REMOVE THE REQUIREMENTS FOR A PUBLIC HEARING BEFORE CLOSING THE STREET FOR THE ANNUAL FETE DE LA MUSIQUE CELEBRATION." VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/REVISIONS TO PRIVILEGE LICENSE ORDINANCE

On May 16, 2000, the Board of Aldermen set a public hearing for tonight to receive input from businesses and residents regarding revisions to the Privilege License Ordinance, including the option to revise the current flat fee structure to one based on gross receipts.

In addition to receiving input, the Board was requested to update the privilege license ordinance in accordance with changes made by the General Assembly in 1996 and to consider whether to continue with the flat fee structure or change to gross receipts methodology.

Bing Roenigk, the town's Assistant Town Manager, made the staff presentation.

Sherri Nutter asked if information on gross receipts would be confidential. Ms. Nutter expressed concern about increases in the privilege license fee. Ms. Nutter stated that she would like to expand her business that is currently located in Carrboro Plaza, but asked where she would expand. Ms. Nutter asked if there are any duplicated services in Carrboro and Chapel Hill that could be combined to save money.

Sherwood Ward stated that he operates his business in Hillsborough because there is no place in Carrboro for him to operate his business. Mr. Ward stated that he had been encouraged by the town's efforts to encourage new businesses to locate in Carrboro. Mr. Ward stated that if he were faced with paying a privilege license tax based on gross receipts, he would reconsider locating his business in Carrboro. Mr. Ward stated that he feels the gross receipts methodology is a regressive tax. Mr. Ward expressed concern about future boards exploiting the privilege license tax fees. Mr. Ward stated that the town should focus more on bringing small businesses to Carrboro rather than increasing privilege license fees.

Michael Vilapodi with Amante Pizza requested that the privilege license fee be the same for all businesses.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY MARK DOROSIN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 8 OF THE CARRBORO TOWN CODE TO PROVIDE THAT PRIVILEGE LICENSE TAXES SHALL BE BASED UPON THE ANNUAL GROSS RECEIPTS OF THE BUSINESSES TAXED," AMENDED AS FOLLOWS:

- That Page 2 of the ordinance be amended to add a subsection (b) to state: “Owners of real property who lease that property need not obtain a privilege license or pay a privilege license tax solely for acting as lessor of that property.”
- That Page 3 of the ordinance be amended to state that businesses with gross receipts over \$1 million shall pay a tax of \$200 + \$200 per million or portion thereof in excess of \$1 million.

VOTE: AFFIRMATIVE ALL

FOLLOW-UP ON QUESTIONS REGARDING THE PROPOSED EXPANSION OF AMERICAN STONE QUARRY AND JOINT PLANNING LAND USE PLAN AMENDMENT TO ALLOW EXPANSION OF EXTRACTIVE USE

On May 16th, the Board of Aldermen considered that proposed Joint Planning Land Use Plan amendment to allow expansion of the extractive use at the American Stone Quarry and decided to take no action. On May 23rd, the Board requested additional information related to the quarry expansion and proposed mitigation measures. Staff has compiled the requested materials. The Administration recommends that the Board of Aldermen adopt a resolution that supports the JPALUP amendment.

Ed Kerwin, Susie Holloway and Paxton Badham answered the Board’s questions.

The Board delayed action on this matter until August 15th and requested a resolution from the OWASA Board of Directors setting out their commitments regarding well replacements and foundation repairs for homes within 5,000 feet of the quarry boundary.

REPORT ON DOWNTOWN VISIONING PROCESS

The purpose of this item was to present to the Mayor and Board of Aldermen the Renaissance planning process format and budget for downtown Carrboro.

Cynthia Liston, Chair of the Downtown Development Commission, made the presentation.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Diana McDuffee.

A RESOLUTION APPOINTING A STEERING COMMITTEE
AND ESTABLISHING A BUDGET FOR THE
DEVELOPMENT OF A DOWNTOWN RENAISSANCE PLAN
Resolution No. 164/1999-2000

WHEREAS, the Carrboro Mayor and Board of Aldermen have set a goal to double the square footage of commercial development; and

WHEREAS, the future development of downtown is seen as an integral part of achieving this goal; and

WHEREAS, the manner in which the downtown is developed will play a significant role in the quality of life for Carrboro residents,

NOW THEREFORE BE IT RESOLVED, that the Carrboro Mayor and Board of Aldermen authorize the development of a Downtown Renaissance Plan with a project budget of \$25,000 with revenues coming from existing budgeted funds, private donations and a loan from the revolving loan fund.

BE IT FURTHER RESOLVED, that the Board agrees to establish a steering committee composed of the Chair of the Downtown Development Commission, three members of the Board of Aldermen, a representative from the Appearance Commission, Transportation Advisory Board and the Planning Board, two business persons from the downtown, and two economic development specialists. The purpose of this steering committee will be to recommend a consultant to develop the plan and to oversee the process to develop it. These appointments will be made on August 15, 2000.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 6th day of June, 2000:

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

Noes: None

Absent or Excused: None

REPORT ON R-SIR ZONING

During Board of Aldermen review of Land Use Ordinance text amendments in 1999, questions arose regarding the Residential-Suitable for Intensive Residential (R-SIR) zoning district. On March 9, 2000 the Board of Aldermen held a worksession to examine objectives and action items associated with housing and requested additional information on the R-SIR district. A resolution was presented that could be modified, subsequent to Board review, to specify any further action on this topic.

Trish McGuire made the staff presentation.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Diana McDuffee.

A RESOLUTION SPECIFYING FURTHER ACTION TO CONSIDER REVISIONS
TO LAND USE REGULATIONS PERTAINING TO R-SIR ZONING DISTRICTS
Resolution No. 163/1999-2000

WHEREAS, the Carrboro Board of Aldermen has requested information on the history, purpose, effectiveness and future applications of the R-SIR zoning districts.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen has reviewed materials compiled to address this request.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Aldermen identifies the following additional action:

- 1) Look at R-SIR and determine how it would be implemented in terms of ordinance changes such as the affordable housing density bonus, small houses requirements, and road connectivity policies and regulations.
- 2) Determine the potential for implementation in various areas - examine how the density bonus plays into this.
- 3) Inventory parcels that fit the R-SIR criteria, focusing on previously zoned R-SIR parcels, but including others as well.
- 4) Consider whether currently developed parcels may be suitable for redevelopment under R-SIR-like mechanisms.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 6th day of June, 2000:

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

Noes: None

Absent or Excused: None

FINAL BUDGET INSTRUCTIONS TO TOWN MANAGER FOR FY2000-01 BUDGET

The purpose of this agenda item is to complete budget discussions and to instruct the Town Manager to develop a final draft of the budget for adoption by the Board on June 13th.

The Board requested that Mayor Nelson and the Town Manager speak with their Chapel Hill peers regarding the hiring process for the Transportation Director's position.

MOTION BY ALLEN SPALT AND SECONDED BY MARK DOROSIN TO DIRECT THE TOWN MANAGER TO PREPARE A FINAL BUDGET FOR THE BOARD'S ADOPTION ON JUNE 13TH WITH THE FOLLOWING ADJUSTMENTS (IN ADDITION TO THE ADJUSTMENTS MADE BY THE BOARD ON 5/23/2000):

ITEM	\$ AMOUNT	TAX RATE Equivalent
Transit System Enhancements	<58,523>	<0.73>
Increased Privilege License Revenue (gross receipts)	<30,777>	<0.38>

VOTE: AFFIRMATIVE ALL

Alderman Dorosin stated that he had contacted the Chamber of Commerce regarding their including the Brewer's Lane sidewalk in their sidewalk assistance program, but that they have not yet considered that request. Alderman Dorosin suggested that town funding of this sidewalk remain in the proposed budget.

BOARD DISCUSSION OF PHILOSOPHICAL ISSUES

Alderman Dorosin stated that Board members had brought several philosophical issues in the past few months and requested to know when there would be an opportunity to discuss those issues.

Mayor Nelson stated that Board members should bring up such issues at any time for Board discussion.

Alderman Gist suggested that the Board hold mini-retreats to discuss this type of issues.

Alderman Broun suggested that Board members submit a list of any issues for Board discussion to the Agenda Planning Committee to schedule.

INCIDENT INVOLVING THERMAL IMAGING CAMERA

Alderman McDuffee requested that the town staff check into an incident in Durham involving a malfunctioning thermal imaging camera.

REVISIONS TO NOISE ORDINANCE

Alderman Spalt and Mayor Nelson requested that the Board review the town's noise ordinance. Mayor Nelson suggested that the town staff contact the National League of Cities to determine how other cities deal with music coming from vehicles.

Alderman Broun suggested that the Town Manager contact OWASA to determine whether they still notify affected residents before doing construction work.

PEDESTRIAN SIGNAL ON MAIN AND JONES FERRY

Alderman Spalt requested that the town staff trim the foliage away from the crosswalk signal at the intersection of Main Street and Jones Ferry Road. In addition, Alderman Spalt requested that the "Watch for Pedestrians City Wide" be changed to "Watch for Pedestrians Town Wide".

SPEED LIMIT SIGNS

Alderman Broun requested that the town staff consider installing additional speed limit signs in the downtown area.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 11:05 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk