

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 15, 2000 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent

Mayor	Michael Nelson
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**REQUEST FOR LAND USE ORDINANCE AMENDMENT**

Giles Blunden, on behalf of Frances Chan, requested that a land use ordinance amendment to increase the density for single-room occupancy dwelling unit receive expedited review.

The Board referred this matter to the town staff for scheduling.

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**REQUEST FOR CLARIFICATION OF STORMWATER REQUIREMENTS FOR SMALL DEVELOPMENT PROJECTS**

Rosalyn Council stated that she has purchased the Ashley's Day Care building. Ms. Council stated that they are proposing to move the modular building to a site on Lloyd Street. Ms. Council expressed concern about the complicated ordinance Carrboro has in regard to stormwater runoff. Ms. Council stated that she has had difficulty retaining the services of an engineer because of the complexity of the town's ordinance.

The Board referred this matter to the town staff.

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**FLOODING IN BARINGTON HILLS SUBDIVISION**

Richard Ellington, a resident of 109 Bruton Drive, stated that he experienced flooding in his backyard recently from the Sunset Creek Subdivision stormwater detention pond. Mr. Ellington stated that the detention pond has a large amount of silt.

Mr. Morgan stated that the town staff would inspect the pond.

Alderman McDuffee stated that the town needs a plan for inspecting stormwater detention ponds on a regular basis.

Roy Williford, the town's Planning Director, stated that Sunset Creek should be under the control of their homeowners association. Mr. Williford stated that the town staff is working on a plan for inspection of stormwater detention ponds.

Alderman Spalt suggested that the town discuss with Chapel Hill their plans for dealing with stormwater.

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**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE JUNE 27, 2000 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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**REQUEST TO ADOPT A BUDGET ORDINANCE AMENDMENT TO APPROPRIATE FUNDS FOR THE RECONSTRUCTION OF WEAVER STREET**

Annually, the Board sets aside funds within the Capital Reserve Fund for street resurfacing projects. The Public Works Department, undertaking the reconstruction of Weaver Street, requests an appropriation of \$35,200 for engineering services associated with this project. A budget amendment is required to transfer funds from Capital Reserve Fund to the General Fund to pay for these services.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2000-01 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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**APPOINTMENT TO APPEARANCE COMMISSION/NPDC**

The Chair of the Appearance Commission/Neighborhood Preservation District Commission recommended that Gail Gillespie be appointed to one of the three vacant seats on the Commission. It was recommended that the Board consider adopting a resolution making this appointment.

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

A RESOLUTION APPOINTING GAIL GILLESPIE  
TO THE APPEARANCE COMMISSION/  
NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION  
Resolution No. 1/2000-2001

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

WHEREAS, these positions have been advertised and Gail Gillespie has submitted an application for a seat on the Appearance Commission/NPDC; and

WHEREAS, Ms. Gillespie'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 Ms. Gillespie's application and is recommending that she 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 Gail Gillespie to a seat on the Appearance Commission/NPDC. Ms. Gillespie'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 15<sup>th</sup> day of August, 2000:

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

Noes: None

Absent or Excused: Michael Nelson

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#### **SECOND READING/TOWN CODE AMENDMENT ESTABLISHING BEREAVEMENT LEAVE**

The Board of Aldermen directed staff to prepare a bereavement leave policy for permanent employees. An ordinance was adopted on first reading at the Board of Aldermen's June 27, 2000 meeting. The Board was requested to adopt this ordinance on second reading at tonight's meeting.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE TO ADD BEREAVEMENT LEAVE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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#### **EARLY-JUNE TO MID-JULY ACTIVE PROJECTS REPORT**

The Zoning Division is responsible for preparing a monthly report outlining the construction activities of various projects of interest within the Town of Carrboro's jurisdiction. The report for the period of June 5 – July 15, 2000 was presented for the Board's review.

Alderman Zaffron requested that the staff review the ordinance provisions dealing with junked vehicles in relation to auto repair businesses such as Brother Peacemaker's businesses.

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#### **APPOINTMENTS TO DOWNTOWN RENAISSANCE PLAN STEERING COMMITTEE**

The purpose of this item was to submit names to the Board of Aldermen for appointment to the Downtown Visioning Committee per the Board's instruction from the June 6, 2000 Board of Aldermen meeting.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Allen Spalt.

A RESOLUTION MAKING APPOINTMENTS  
TO THE DOWNTOWN VISIONING STEERING COMMITTEE  
Resolution No. 4/2000-01

WHEREAS, the Board of Aldermen at its meeting on June 6, 2000 adopted a resolution establishing a steering committee that will be charged with recommending a consultant to develop a downtown renaissance plan and to oversee the process to develop the plan; and

WHEREAS, the steering committee is to be comprised of eleven members as follows:

- 3 members of the Board of Aldermen
- 1 representative from the Appearance Commission
- 1 representative from the Transportation Advisory Board
- 1 representative from the Planning Board
- 2 business persons from the downtown
- 2 economic development specialists

WHEREAS, the following list of names is submitted for appointment to the Steering Committee:

- Alex Zaffron, Board of Aldermen
- Diana McDuffee, Board of Aldermen
- Joal Broun, Board of Aldermen
- Mark Dorosin, Board of Aldermen
- Sophie Piesse, Appearance Commission
- Shirley Marshall, TAB
- Stanley Babiss, Planning Board
- Ruffin Slatter, Business Owner
- Giles Blunden, Downtown Business person
- James Morgan, Business Owner-Past Chair DDC
- Cynthia Liston, economic development specialist
- Dianne Reid, Orange County Economic Development Com.

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

Section 1. The Mayor and Board of Aldermen hereby appoint the following individuals to the Downtown Visioning Steering Committee:

- Alex Zaffron, Board of Aldermen
- Diana McDuffee, Board of Aldermen
- Joal Broun, Board of Aldermen
- Sophie Piesse, Appearance Commission
- Shirley Marshall, TAB
- Stanley Babiss, Planning Board
- Ruffin Slatter, Business Owner
- Giles Blunden, Downtown Business person
- James Morgan, Business Owner-Past Chair DDC
- Cynthia Liston, economic development specialist

Dianne Reid, Orange County Economic Development Com.  
Frank Heath, Downtown Business person

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 15<sup>th</sup> day of August, 2000:

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

Noes: None

Absent or Excused: Michael Nelson

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### **DISCUSSION OF HOLIDAY TREE**

At the Annual Retreat staff requested that the Board of Aldermen discuss the issue of replacing the artificial Holiday tree with a live tree. A citizen that prefers a live tree to the artificial one, which has been in place for two years, prompted the discussion. The staff requested direction from the Board on how to proceed on this matter.

The Board requested that the town staff plant a live tree on the front lawn of Town Hall to be used in future years as the town's holiday tree. The Board requested that the artificial tree be used as the town's holiday tree until the live tree reaches a sufficient height.

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### **WORKSESSION: LAND USE ORDINANCE PROVISIONS RELATING TO MINOR SUBDIVISIONS, INFILL AND DENSITY OPTIONS**

The Board of Aldermen received a staff report on these issues on March 28, 2000 and decided that worksession was needed to further evaluate and consider possible changes to the land use provisions.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Dorosin.

#### **A RESOLUTION RECEIVING THE REPORT ON MINOR SUBDIVISIONS, INFILL AND DENSITY OPTIONS Resolution No. 6/2000-2001**

WHEREAS, the Carrboro Board of Aldermen, in seeking ample opportunities to review existing policy, requested a staff report on minor subdivisions, infill and density options.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen has discussed the report provided by the Planning Staff and requested that the town staff prepare a proposal to include the following areas for further discussion with the Planning Board and Board of Adjustment:

Creation of an overlay zone  
Increasing density to take advantage of existing infrastructure

Increasing density to address diversity and affordability of housing  
Different infill in different areas of town  
The impact of open space and recreation requirements  
Graduated scale based on size of project  
Traffic impacts and compatibility with neighborhoods

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15<sup>th</sup> day of August, 2000:

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

Noes: None

Absent or Excused: Michael Nelson

Alderman Zaffron requested that an analysis of the Montgomery County affordable housing ordinance be provided to the Board.

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**RESOLUTION REPEALING THE TOWN'S RESOLUTION BARRING PURCHASES FROM BUSINESSES IN BURMA**

The Town Attorney prepared a resolution repealing the town's resolution barring purchases from businesses in Burma and from those doing business with Burma for the Board's consideration.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Allen Spalt.

A RESOLUTION CONFIRMING THE TOWN'S OPPOSITION  
TO THE VIOLATIONS BY THE GOVERNMENT OF BURMA  
OF THE POLITICAL, CIVIL AND ECONOMIC RIGHTS OF ITS OWN CITIZENS  
AND REPEALING RESOLUTION NO. 18/96-97  
Resolution No. 7/2000-01

WHEREAS, on October 8, 1996, the Board of Aldermen adopted "A Resolution Barring Purchases from Businesses in Burma and From Those Doing Business With Burma;" and

WHEREAS, it appears, based upon the June 19, 2000 decision of the United States Supreme Court in *Crosby v. National Foreign Trade Council* that the forgoing resolution may be preempted by federal law.

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

Section 1. The Board hereby reaffirms its strong opposition to the violation by the government of Burma (Myanmar) of the political, civil, and economic rights of its own citizens.

Section 2. Resolution No. 18/96-97 is repealed.

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 15<sup>th</sup> day of August, 2000:

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

Noes: None

Absent or Excused: Michael Nelson

The Board requested that copies of this resolution be forwarded to President Clinton, Congressman Price, Senator Helms and Edwards stating the town's disappointment in having to adopt this resolution.

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**INSERTS IN TAX BILLS**

Alderman Spalt requested that the town staff investigate whether the town could have informational inserts placed in the county tax bills next year.

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**REQUEST FOR FEE WAIVER**

Alderman Dorosin stated that he had received a request from Empowerment asking for a waiver of development fees. Alderman Dorosin requested that the Agenda Planning Committee schedule a review of the town's policy on development application fee waivers for affordable housing.

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MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO ADJOURN THE MEETING AT 10:40 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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Mayor Pro Tem

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Town Clerk