

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 10, 2000 at 7:30 P.M. in the Town Hall Board Room.

**PRESENT AND PRESIDING:**

<b>Mayor</b>	<b>Michael R. Nelson</b>
<b>Aldermen</b>	<b>Joal Hall Broun</b>
	<b>Mark Dorosin</b>
	<b>Jacquelyn Gist</b>
	<b>Diana McDuffee</b>
	<b>Allen Spalt</b>
	<b>Alex Zaffron</b>
<b>Town Manager</b>	<b>Robert W. Morgan</b>
<b>Deputy Town Clerk</b>	<b>James E. Spivey, CMC</b>
<b>Town Attorney</b>	<b>Michael B. Brough</b>

**AUTUMN DRIVE CONNECTION MATTER**

Stephanie Padilla, resident of 103 Autumn Drive, made a statement to the Board regarding their past action in reference to the connection of Autumn Drive. Ms. Padilla also requested copies of all email correspondence, notes, and/or drafts scripted by the Mayor and Board regarding the Autumn Drive issue for the past 12 months.

Alderman Gist suggested that possibly a mediated and/or facilitated meeting should be scheduled to discuss this matter.

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**APPROVAL OF MINUTES OF PREVIOUS MEETING: OCTOBER 3, 2000**

The Board delayed taking action on this matter.

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**REQUEST TO SET A PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/MORNINGSTAR MINI-STORAGE**

Mr. David Blevins, with Development Engineering, representing the Morningstar Group, submitted an application for a conditional use permit to allow a mini-storage facility at 321 NC Highway 54. The request consisted of 163,363 square feet of interior storage in 10 difference buildings. The Board of Aldermen must hold a public hearing to receive input before reaching a decision on a conditional use permit application. The administration recommended that the Board set a public hearing for October 24, 2000 for consideration of this conditional use permit request.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO SET A PUBLIC HEARING FOR OCTOBER 24, 2000 FOR CONSIDERATION OF A CONDITIONAL USE PERMIT APPLICATION TO ALLOW A MINI-STORAGE FACILITY AT 321 NC HIGHWAY 54. VOTE: AFFIRMATIVE ALL.

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**REQUEST TO SET A PUBLIC HEARING/VISION 2020 POLICIES**

On November 30, 1999, the Board of Aldermen established the Vision 2020 Steering Committee and charged the group with examining existing policies and proposing revisions or replacements. The committee has completed its initial evaluatory, data gathering and compilation efforts and has prepared a draft Vision 2020 Policies document. A resolution, that sets a public hearing for review of this document and refers the draft Vision 2020 to advisory boards, was recommended for the Board’s adoption.

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

A RESOLUTION SETTING A PUBLIC HEARING FOR REVIEW OF  
CARRBORO VISION 2020 POLICIES  
Resolution No. 52/2000-01

WHEREAS, the Carrboro Board of Aldermen has established a Vision 2020 Steering Committee to develop a Vision 2020 report.

WHEREAS, the Steering Committee has completed a final draft of this document, Carrboro Vision 2020 and has presented it for consideration by the Carrboro Board of Aldermen.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen sets a public hearing for November 28, 2000 to receive public comment;

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen refers Carrboro Vision 2020 to Town advisory boards for recommendations.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of October, 2000:

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

Noes: None

Absent or Excused: None

The Board requested that the question of an overall vision statement be deferred until after the public hearing, at which time the Board will discuss this matter.

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**BUREAU OF JUSTICE LOCAL LAW ENFORCEMENT BLOCK GRANT ACCEPTANCE**

The Carrboro Police Department has received approval from the Bureau of Justice Assistance for a year 2000 Local Law Enforcement Block Grant. This grant is for \$15,647.00 and requires a 10% match (\$1,739.00) from the Town of Carrboro. The administration recommended adoption of a resolution which accepts the grant,

authorizes the payment of the town's 10% match from the Police Department's operational budget (lapsed salaries), and sets a public hearing for October 24, 2000 to receive public comment on the proposed expenditure of these grant funds.

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

A RESOLUTION EXPRESSING THE INTENTION TO ACCEPT THE LOCAL LAW ENFORCEMENT  
BLOCK GRANT FOR YEAR 2000, TO SET ASIDE MATCHING FUNDS AS REQUIRED BY THE  
GRANT, AND TO SEEK PUBLIC COMMENTS REGARDING THE USE OF THIS GRANT  
Resolution No. 48/2000-01

WHEREAS, the Carrboro Board of Aldermen has accepted the Local Law Enforcement Block Grant every year since 1997, and

WHEREAS, these grants have been very beneficial to the Carrboro Police Department by providing funds to purchase video cameras, radars, radios, and other important equipment, and

WHEREAS, the Bureau of Justice Assistance has awarded a year 2000 Local Law Enforcement Block Grant to the Carrboro Police Department

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accept the Local Law Enforcement Block Grant in the amount of \$ 15,647.00.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Aldermen authorize the transfer of funds from the contingency fund to the police operating budget for use as matching funds for the Local Law Enforcement Block Grant.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that a public hearing be set for October 24, 2000, to receive public comment on the proposed disbursement of the grant funds.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of October, 2000:

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

Noes: None

Absent or Excused: None

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**APPOINTMENT TO BOARD OF ADJUSTMENT**

The Chair of the Board of Adjustment recommended that Paul Israelson be appointed to the vacant in-town seat on the Board of Adjustment.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE BOARD OF ADJUSTMENT  
Resolution No. 47/2000-2001

WHEREAS, there is currently one vacant in-town seat on the Board of Adjustment; and

WHEREAS, this position has been advertised and Paul Israelson submitted an application for a seat on the Board of Adjustment; and

WHEREAS, Mr. Israelson's applications was forwarded to the Chair of the Board of Adjustment for consideration; and

WHEREAS, Richard Ellington, Chair of the Board of Adjustment, has reviewed Mr. Israelson's application and is recommending that he be appointed to the vacant in-town seat on the Board of Adjustment.

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

Section 1. The Board of Aldermen hereby appoints Paul Israelson to an in-town seat on the Board of Adjustment. His term shall expire in February 2003.

Section 2. This resolution shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of October, 2000:

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

Noes: None

Absent or Excused: None

Alderman Spalt requested a report regarding why Mr. Israelson's application was two years old, considering that there had been vacancies on the Board of Adjustment over the last two years.

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**PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO REVISE THE DENSITY AND RECREATIONAL FACILITIES REQUIREMENTS FOR SINGLE-ROOM OCCUPANCY UNITS**

A public hearing must be held to provide an opportunity for public comment on a proposed amendment to the text of the land use ordinance. The administration recommended that the Board adopt the draft ordinance that revises the provisions associated with density calculation and recreational requirements for single-room occupancy units.

Patricia McGuire, Planning Administrator, made the staff report.

Giles Blunden, representing Mr. Chan, addressed the Board. Mr. Blunden voiced support of the proposed change and stated that his comments dealt specifically with the preservation of the environment.

Ruffin Slater, a downtown business manager, stated that there should not be any square footage restraints applied regarding this matter.

James Carnihan, a rural resident, voiced support of the proposed ordinance amendment.

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

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REVISE PROVISIONS ASSOCIATED WITH SINGLE-ROOM OCCUPANCY USES" WITH THE FOLLOWING CHANGES:

1. Under Section 1, delete **bold** text.
2. Under Section 2, "Section 15-284" should read "Section 15-182".
3. Under Section 2, subsection (h) should read "Notwithstanding the foregoing, the minimum square feet per dwelling unit required for any residential development consisting solely of single-room occupancy units shall be 500 square feet in the B-1(g) and R-2 districts."
4. Under Section 4, subsection (f) "Residential developments consisting of solely single-room occupancy units shall be exempt from the requirement to provide play equipment suitable for children."

VOTE: AFFIRMATIVE ALL.

The Board expressed its desire to discuss further the following:

1. To specify that density for SRO development is four times that permitted for other types of residential units.
2. To specify that density for all SRO developments is 500 square feet per dwelling unit.

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**PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO PROVIDE THE MANAGER WITH THE AUTHORITY TO ACCEPT BONDING**

A public hearing must be held to provide an opportunity for public comment on a proposed amendment to text of the land use ordinance. The administration recommended that the Board adopt the draft ordinance that would allow the Town Manager to accept bonds to cover the completion of necessary site work associated with the use or occupancy of projects requiring special or conditional use permits.

Patricia McGuire, Planning Administrator, made the staff presentation.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JACQUELYN GIST THAT THE PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING SECTION 15-60 OF THE CARRBORO LAND USE ORDINANCE TO PROVIDE THE MANAGER WITH BOND ACCEPTANCE AUTHORITY" WITH THE FOLLOWING CHANGE:

1. The **bold** text under subsection (a) that begins to read "The Authority to approve...Board of Aldermen" should read "The manager may approve such security for incomplete items up to \$100,000 in value, or may refer such approval to the board. The board may approve security for items referred by the manager as well as security for items that exceed \$100,000 in value."

VOTE: AFFIRMATIVE ALL.

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**MINI-RETREAT: REVIEW OF THE ENVIRONMENTAL ADVISORY BOARD'S RECOMMENDED LAND USE ORDINANCE CHANGES**

The Board of Aldermen held a worksession with the Environmental Advisory Board on May 16, 2000 in follow-up to their review of recommended land use ordinance changes. The purpose of the mini-retreat was to provide an opportunity for further discussion of the five issues noted in the staff analysis presented in October 1999. A resolution was prepared that could be modified, subsequent to the mini-retreat, as to what action, if any, should be taken.

Per request of the Environmental Advisory Board chair, the Board of Aldermen postponed this matter for consideration.

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**REQUEST TO SET A PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO SPECIFY PERMIT REQUIREMENTS ASSOCIATED WITH TOWN-OWNED SERVICES AND FACILITIES**

The Land Use Ordinance does not presently include a use classification for town-owned facilities and services. Staff determined that revisions to the text of the Land Use Ordinance were in order to establish appropriate permit requirements for all town-owned and operated functions and a draft ordinance was prepared. A resolution that set a public hearing for the receipt of public comment on the proposed change and referred the draft ordinance to the Planning Board and Orange County was recommended for the Board's adoption.

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

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE  
TEXT AMENDMENT SPECIFY PERMIT REQUIREMENTS FOR  
TOWN-OWNED FACILITIES AND SERVICES  
Resolution No.53/2000-01

WHEREAS, the Carrboro Board of Aldermen has determined that it is necessary to consider changes to its Land Use Ordinance from time to time; and

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed changes to its Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on November 14, 2000 to receive public comment on these proposed changes;

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board for recommendations.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of October, 2000:

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

Noes: None

Absent or Excused: None

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**BURNED HOUSE OF DAVIE ROAD**

Mayor Nelson requested that staff investigate whether or not the burned residence on Davie Road is occupied.

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**TRIANGLE UNITED WAY & BOY SCOUTS OF AMERICA**

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

A RESOLUTION TO URGE TRIANGLE UNITED WAY TO SUPPORT  
NONDISCRIMINATORY ORGANIZATIONS  
Resolution No.51/2000-01

WHEREAS, the Town of Carrboro believes all Americans should live free of discrimination; and

WHEREAS, Carrboro has backed these beliefs up with ordinances that prohibit discrimination and encourage acceptance of all Americans regardless of race, religion, gender, creed, ability, or sexual orientation; and

WHEREAS, the Town has participated in United Way campaigns in the past and hopes to participate in the future; and

WHEREAS, the Boy Scouts of America have a policy of discrimination against gay Americans; and

WHEREAS, the United Way of the Triangle continues to support the Boy Scouts despite mounting pressure to end this support; and

WHEREAS, United Way chapters in other parts of the country have discontinued financial support to the Boy Scouts until the Boy Scouts of America rescinds its policy of discrimination; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Carrboro believe that the United Way should not apply double standards to matters of civil rights.

NOW, THEREFORE, THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN RESOLVES:

Section 1. The Triangle United Way should immediately discontinue support of the Boy Scouts of America (BSA) until such time as the BSA adopts a policy of inclusion and acceptance of all Americans, including gay Americans.

Section 2. The Town will withdraw its support of United Way of the Triangle if the local chapter continues this policy of supporting organizations that discriminate based on sexual orientation and has not clearly declared a single standard of non-discrimination by the Spring 2001.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of October, 2000:

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

Noes: None

Absent or Excused: None

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### **RECYCLING CENTER UPDATE**

Alderman Spalt requested an update regarding the Recycling Center.

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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST THAT THE MEETING BE ADJOURNED AT 9:30 PM. VOTE: AFFIRMATIVE ALL.

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Michael R. Nelson, *Mayor*

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James E. Spivey, *CMC, Deputy Town Clerk*