

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 27, 2001 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

**REQUEST FOR CABLE T.V. PUBLIC ACCESS**

Vimala Rajendran, a resident of Heritage Hills, requested the town's assistance in having cable t.v. public access available to her residence.

Troy Griffin, a Carrboro resident, offered his assistance in bringing public access to Carrboro.

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**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE MARCH 20, 2001 MINUTES. VOTE: AFFIRMATIVE ALL

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**REQUEST TO APPROVE A BUDGET ORDINANCE TO APPROPRIATE FUNDS FOR DOWNTOWN VISIONING STUDY, AUDIT COSTS, STAFF ACCOUNTANT POSITION AND LEGAL FEES**

The Board was requested to approve a budget amendment appropriating funds for various initiatives discussed and approved in previous board meetings. The budget amendment will fund additional audit costs incurred over the past year, a new staff accountant position effective March 1, legal fees associated with foreclosure on the Ashley's Daycare Loan, and additional funds for the Downtown Visioning Study.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2000-01 BUDGET ORDINANCE", WITH THE REVISION THAT THE \$5,700 FOR THE DOWNTOWN VISIONING STUDY BE TAKEN FROM THE TOWN'S CONTINGENCY FUND RATHER THAN FROM THE REVOLVING LOAN FUND. VOTE: AFFIRMATIVE ALL

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## **MID-JANUARY TO MID-FEBRUARY 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 February 16, 2001 – March 15, 2001 was provided to the Board.

Chris Murphy, the town's Zoning Development Administrator, answered the Board's questions.

Mr. Morgan stated that the town staff would arrange a meeting between the town's engineer and the engineer for the Smith Middle School project.

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## **ANNOUNCEMENT**

Chris Peterson announced that Rick Reed and Glenn Baldwin had received Roads Scholar for Streets certificates from the N.C. Technological Transfer Center.

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## **CHARGE ISSUED**

The Town Clerk issued a charge to Errol McCauley, a recent appointee to the Human Services Commission.

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## **PUBLIC HEARING/MODIFICATION TO THE UNITED CHURCH OF CHRIST CONDITIONAL USE PERMIT**

UCC Assisted Living, Inc. submitted an application for a modification to the conditional use permit issued on April 8, 1997, to allow a Combination Use (Use 27.000) comprised of a Senior Citizen Residential Complex (Use 1.660), which is the current use classification permitted with the CUP, and a Child Day Care Facility (Use 22.200). The Board of Aldermen approved a CUP modification on February 9, 1999 to allow the proposed use (for a child day care facility known as the TEACH program) to locate in this space, but the use never commenced. Per Section 15-62 of the Town of Carrboro Land Use Ordinance (LUO), the Board must re-approve the use through the public hearing process because two (2) years have passed without the project commencing. Therefore, the Board of Aldermen must hold a public hearing to receive input before reaching a decision on the conditional use permit modification. The Administration recommended that the Board approve the Conditional Use Permit Modification.

Chris Murphy, the Town's Development Review Administrator, was sworn in. Mr. Murphy made the staff presentation. Mr. Murphy stated that the administration recommended that the Board specify that 26 of the parking spaces on the assisted living facility property be devoted to the assisted living facility use and that the remaining 14 parking spaces be devoted to the daycare use. This would result in the elimination of 14 parking spaces. This is consistent with the requirement of Section 15-292 of the land use ordinance for parking flexibility. In addition, the administration recommended that the conditional use permit modification to allow a combination use of a senior citizens residential complex and a child daycare facility at 405 Smith Level Road be approved.

Ashley Osment was sworn in. Ms. Osment stated they will be marking the crosswalk and will be escorting children from the building to the playground.

Sonia Wiggins, the Director of Mi Escuelita, was sworn in. Ms. Wiggins spoke in favor of the requested modification.

Claudia Bernel, Assistant Director of Mi Escuelita, was sworn in. Ms. Bernel spoke favorably about the requested modification and stated that Mi Escuelita will serve as a place to share cultures.

Max Paul, a resident of Covenant House, was sworn in. Mr. Paul stated that Covenant House would work well with Mi Escuelita.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE MODIFICATION TO ALLOW A COMBINATION USE OF A SENIOR CITIZEN RESIDENTIAL COMPLEX AND A CHILD DAY CARE FACILITY AT 405 SMITH LEVEL ROAD, AND THAT 26 OF THE PARKING SPACES ON THE ASSISTED LIVING FACILITY PROPERTY BE DEVOTED TO THE ASSISTED LIVING FACILITY USE AND THAT THE REMAINING 14 PARKING SPACES BE DEVOTED TO THE DAYCARE USE. THIS WOULD RESULT IN THE ELIMINATION OF 14 PARKING SPACES. VOTE: AFFIRMATIVE ALL

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### **REPORT FROM VERNACULAR ARCHITECTURAL STANDARDS COMMITTEE**

The purpose of this agenda item was for the Vernacular Architectural Standards Review Committee to present their committee report. This committee was given a charge to examine and prepare a report on various aspects of the vernacular architectural standards.

Giles Blunden, representing the Vernacular Architectural Standards Committee, stated that the Committee recommended a two-tiered regulation. The first tier would require compliance with the Vernacular Architectural Standards. The second tier would be an exception to the mandatory standards in which developers would propose their own architectural standards that would then be reviewed and approved by the town. This would be similar in concept to the current recreation requirement of the land use ordinance, which requires the applicant to either provide a recreation amenity or pay a fee in lieu.

Roy Williford, the town's Planning Director, stated that the town does not have an architect on staff, so it would probably be better to have an outside consultant to develop the language for the guidelines being recommended by the VAS Committee.

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

A RESOLUTION RECEIVING THE REPORT ON THE VERNACULAR  
ARCHITECTURAL STANDARDS  
Resolution No. 118/2000-01

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review its policies and regulations; and

WHEREAS, the Carrboro Board of Aldermen created the Vernacular Standards Review Committee and charged them with reviewing the current Architectural Standards in the Land Use Ordinance; and

WHEREAS, the Vernacular Architectural Standards Review Committee has reviewed the current standards and compiled the "Vernacular Architectural Standards Review Committee Report"

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen receives the report, encourages the Vernacular Architectural Standards Review Committee to move ahead, and hereby appropriates \$500 from the Contingency Fund to contract with Catherine DeVine to draft the guidelines.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 27th day of March, 2001:

Ayes: Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: Joal Hall Broun, Mark Dorosin

Absent or Excused: None

Alderman Spalt suggested that a list of the committee members should have been included in the report.

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### **CONTINUED DISCUSSION OF INFILL DEVELOPMENT**

On November 14, 2000, the Board of Aldermen held a joint worksession with members of the Board of Adjustment and Planning Board on land use ordinance provisions relating to infill, minor subdivisions, and density. The Board requested that the agenda planning committee schedule this topic for further Board review. A resolution that provides an opportunity for the Board of Aldermen to specify its objectives regarding infill development was prepared for the Board's consideration.

Mayor Nelson suggested that the Board table the report on infill at this time and discuss possible areas that could be rezoned to accommodate apartments, condominiums and townhouses.

The Board requested that the Agenda Planning Committee schedule a worksession on infill development and a separate worksession to discuss possible areas that could be rezoned to accommodate apartments, condominiums and townhouses.

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### **REVIEW OF SHAPING ORANGE COUNTY'S FUTURE COMMENTS**

On October 5, 2000, the Board of Aldermen adopted a resolution specifying their intent to include Aldermen and citizen comments in the Facilitated Assembly of Governments discussion of the Shaping Orange County's Future Provisional Report and Recommendations. The Board also expressed their interest in reviewing these comments prior to the facilitated meeting. A resolution that directs staff to convey these comments, along with any additions or revisions, to the Steering Committee, was recommended for the Board's adoption.

Alderman Broun stated that the report needs more emphasis on children in terms of their overall well being, not necessarily just education. In addition, there should be more emphasis on pre-K education, and more balance on human service priorities.

It was the consensus of the Board to request that the town staff prepare a resolution summarizing the Board's position on the Shaping Orange County's Future Report.

Alderman McDuffee asked for a clear understanding of how the facilitated meeting will work.

Alderman Spalt asked that the Board of Aldermen receive a compiled list of the other Boards' comments prior to the Assembly of Governments meeting.

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### **ADOPTION OF 2001-02 ACTION AGENDA**

The Action Agenda allows staff to align the town budget with the Board's goals and objectives. The Board conducted two retreats this year to set two-year goals, objectives, and projects for the town departments. The Town Administration has prepared an Action Agenda to implement the decisions reached at the retreats. The purpose of this item was to request that the Board adopt the *2001-2002 Action Agenda*.

Alderman Dorosin asked that as an outcome to #52 that the town enter into a new transit MOU.

Alderman McDuffee asked that the Board hold a worksession on the transit MOU.

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

#### A RESOLUTION ADOPTING THE 2001-02 ACTION Agenda Resolution No. 121/2000-01

WHEREAS, the Board has conducted two planning retreats on January 7<sup>th</sup> and February 4<sup>th</sup> and 5<sup>th</sup> to discuss the direction in which it would like to lead the Town for the next two years; and

WHEREAS, the Action Agenda allows staff to implement the Board's goals and objectives.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Mayor and Board of Aldermen that the 2001-2002 Action Agenda as presented (and amended) is adopted as the work plan for the years 2001-2002.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 27th day of March, 2001:

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

Noes: None

Absent or Excused: None

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### **APPOINTMENTS TO ADVISORY BOARDS**

The Mayor and Board of Aldermen considered making appointments to the town's advisory boards for terms that expired in February.

Alderman Broun requested that a worksession be held with the advisory board chairs prior to the end of 2001 to discuss appointments to their boards.

Trish McGuire stated that the town staff is working on a training program for the advisory boards.

The following resolution was introduced by Alderman Mark Dorosin duly seconded by Alderman Diana McDuffee.

A RESOLUTION MAKING APPOINTMENTS TO  
CARRBORO ADVISORY BOARDS  
Resolution No. 116/2000-01

WHEREAS, there are terms on advisory boards that expire in February of each year; and

WHEREAS, those individuals whose terms expire in 2001 were sent notices thanking them for their service and asking them to complete an application form if they were interested in being re-appointed; and

WHEREAS, these seats were also advertised and applications were received; and

WHEREAS, all applications were forwarded to the chairs of the various advisory boards for review and recommendation.

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

Section 1. The following appointments are made to the town's advisory boards:

<b>BOARD</b>	<b>APPOINTEES</b>	<b>TYPE OF TERM</b>
Board of Adjustment	Mary Kruter	In-Town
Board of Adjustment	Mark Chilton	In-Town
Planning Board	Ande West	In-Town
Planning Board	Jessica Treat	In-Town
Transportation Advisory Board	Ellen Perry	N/A
Recreation and Parks Commission	Evie Odom	In-Town
Recreation and Parks Commission	Monica Nees	In-Town
Cable T.V. Committee	Virginia Yopp	Time Warner Representative
Cable T.V. Committee	Cathy Binder	N/A
Cable T.V. Committee	John Norcutt	N/A
Cable T.V. Committee	Edward Devany	N/A
Cemetery Commission	Gladys Parker	In-Town or Out-of-Town
Cemetery Commission	Ben Grantham	N/A
Downtown Development Commission	Cynthia Liston	N/A
Downtown Development Commission	Amy Singleton	N/A
Environmental Advisory Board	Glynis Gore	N/A

Section 2. Those individuals not seeking re-appointment will be recognized for their service at the Advisory Boards Recognition Dinner.

Section 3. That a worksession be held with the town's advisory board chairs by the end of 2001 to discuss appointments to their boards.

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 27th day of March, 2001:

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

Noes: None

Absent or Excused: None

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

A RESOLUTION REQUESTING AN APPOINTMENT TO A  
TRANSITION AREA SEAT ON THE CARRBORO PLANNING BOARD  
Resolution No. 117/2000-01

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

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint Transition Area 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 a Transition Area seat on the Carrboro Planning Board whose term would expire in February 2004:

Ms. Susan Poulton  
8720 Union Grove Church 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 27th day of March, 2001:

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

Noes: None

Absent or Excused: None

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**PROPOSAL FOR JOINT CHAPEL HILL-CARRBORO REQUEST FOR THE NOVEMBER 2001 ORANGE COUNTY PARKS AND RECREATION BOND**

Mayor Nelson discussed a proposal for a joint Chapel Hill-Carrboro request for the November 2001 Orange County Parks and Recreation Bond. Mayor Nelson stated that he and Mayor Waldorf were proposing that Carrboro and Chapel Hill request the Orange County Board of Commissioners and the Bond Task Force consider the following consolidated request for the 2001 Orange County parks and Recreation Bond:

Homestead Park Aquatics Center	\$3,500,000
Southern Community Park	5,000,000
Bolin Creek and Morgan Creek Greenways (This amount covers both land acquisition and development. These greenways will connect Chapel Hill and Carrboro. The above amount assumes \$1.5 million for Carrboro and \$2.5 million for Chapel Hill.)	4,000,000
Carrboro land acquisition	
Hillsborough Road Park	250,000
Gymnasium site	250,000
Carrboro parks enhancement	
Smith Middle School	250,000
Hillsborough Road Park	750,000
Total for Southern Orange County	\$14,000,000

Mr. Morgan requested that the Board amend the cost figure for the greenways project to \$4,500,000 because the \$4,000,000 figure does not include land acquisition.

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

A RESOLUTION ENDORSING A CONSOLIDATED PARKS AND RECREATION  
PRIORITY LIST FOR PRESENTATION TO THE  
ORANGE COUNTY BOARD OF COMMISSIONERS  
Resolution No. 122/2000-01

WHEREAS, the Mayors of Chapel Hill and Carrboro have had informal discussions and wish to suggest that Chapel Hill and Carrboro coordinate requests for the 2001 Orange County Parks and Recreation Bond; and

WHEREAS, the Chapel Hill Town Council and the Carrboro Board of Aldermen have already approved two resolutions requesting the Orange County Board of Commissioners to include specific parks projects.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen hereby:

- Endorses the consolidated parks and recreation priority list for southern Orange County described as follows:

Homestead Park Aquatics Center	\$3,500,000
Southern Community Park	5,000,000
Bolin Creek and Morgan Creek Greenways (This amount covers both land acquisition and development. These greenways will connect Chapel Hill and Carrboro. The above amount assumes \$2 million for Carrboro and \$2.5 million for Chapel Hill.)	4,500,000
Carrboro land acquisition	
Hillsborough Road Park	250,000
Gymnasium site	250,000
Carrboro parks enhancement	
Smith Middle School	250,000
Hillsborough Road Park	750,000
<b>Total for Southern Orange County</b>	<b>\$14,500,000</b>

- Authorizes the two mayors, with appropriate assistance from staff and other fellow elected officials, to make a presentation of this priority list to the bond needs committee; and
- Agrees to work cooperatively to advocate for this consolidated request.

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 27th day of March, 2001:

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

Noes: None

Absent or Excused: None

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**FIRE DEPARTMENT RENOVATIONS**

Mr. Morgan requested that the Board appropriate \$4,000 from the Contingency Fund to provide funding for improvements needed for grounding of the phone system and radios at the fire department.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROPRIATE \$4,000 FROM THE CONTINGENCY FUND FOR THE FIRE DEPARTMENT RENOVATIONS. VOTE: AFFIRMATIVE ALL

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**ORANGE COUNTY ECONOMIC DEVELOPMENT BREAKFAST**

Alderman Spalt distributed copies of “The State of Orange”, the 9<sup>th</sup> Annual State of the Local Economy Breakfast report.

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**REQUEST FOR STATUS REPORT ON THE RECLYCLING CENTER**

Alderman Spalt requested a status report on the Carrboro Plaza Recycling Center. Alderman Spalt volunteered to help facilitate the opening of this center.

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**BREAKFAST MEETING WITH LEGISLATIVE DELEGATION**

Mayor Nelson stated that two members of the legislative delegation would not be able to attend the breakfast meeting with the Board of Aldermen scheduled for April 7<sup>th</sup>.

It was the consensus of the Board to request that the town staff draft a letter to the delegation to include concerns about withholding funding, the interest in funding mechanisms and the town's support of Triangle J COG's legislative agenda in lieu of meeting with the delegation.

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**REQUEST FOR REPAIR OF TRAFFIC SIGNAL AT MAIN AND JONES FERRY ROAD**

Alderman Spalt requested that the Public Works Department check the traffic signal at the PTA Thrift Shop for a burned out light.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 10:00 PM. VOTE: AFFIRAMTIVE ALL

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Town Clerk

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Mayor