

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 28, 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

**PROCLAMATION ISSUED**

Alderman Spalt read a proclamation proclaiming August 28, 2001 as Valecia Jones-Harris Day in the Town of Carrboro for her many years of service to the community as an employee of the PTA Thrift Shop.

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**CERTIFICATE OF APPRECIATION PRESENTED**

Mayor Nelson presented a certificate of appreciation to Cathy Binder for her service to the Town while serving on the Cable T.V. Committee.

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**CHARGE ISSUED**

The Town Clerk issued a charge to Ruben Hayes, a recent appointee to the Appearance Commission/Neighborhood Preservation District Commission.

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**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO APPROVE THE AUGUST 21, 2001 MINUTES. VOTE: AFFIRMATIVE ALL

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**MID-JULY TO MID-AUGUST ACTIVE PROJECTS REPORT**

The Zoning Division of the Town of Carrboro 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 July 16, 2001 through August 15, 2001 was presented.

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**A REQUEST TO ADOPT A BUDGET ORDINANCE**

A budget amendment of \$5,000 was needed to transfer reserves from the Capital Reserve Fund to allow the Town Manager to contract for consulting services (appraisals and environmental or engineering studies) as needed to evaluate properties for proposed Town facilities. Undesignated interest earnings are available in the Capital Reserve Fund to pay for these services. In addition, the Board made a motion at its meeting on August 21 to support a request to provide police services at the Familias del Pueblo Road Race. The motion approved a transfer of \$500 from the contingency fund to the Police Department. A budget amendment was necessary to transfer these funds.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO ADOPT THE ORDINANCE ENTITLED," AN ORDINANCE AMENDING FY'2001-02 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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**REQUEST TO SET A PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO TRANSFER IMPERVIOUS SURFACE CAPACITY FROM ONE LOT TO ANOTHER WITHIN THE TOWN'S PLANNING JURISDICTION**

Christopher Conover is requesting a text amendment to allow impervious surface transfers within the Town's planning jurisdiction. A resolution that sets a public hearing on amendments to the impervious surface provisions of the Land use Ordinance was recommended for the Board's adoption.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE  
TEXT AMENDMENT TO ALLOW THE TRANSFER OF IMPERVIOUS SURFACE CAPACITY  
FROM ONE LOT TO ANOTHER  
Resolution No. 12/2001-02**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on October 9, 2001 to consider adopting "An Ordinance Amending the Land Use Ordinance to Allow the Transfer of Impervious Surface Capacity from One Lot to Another Within the Town's Planning Jurisdiction."

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement, Northern Transition Advisory Committee, Environmental Advisory Board, OWASA, and to the Planning Board for comment and recommendations to the Board.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28<sup>th</sup> day of August, 2001:

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

Noes: None

Absent or Excused: None

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**REQUEST FOR INFORMATION ON THE PUBLIC WORKS FACILITY**

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JACQUELYN GIST TO REQUEST THE TOWN STAFF TO PREPARE A FACT SHEET ON THE PUBLIC WORKS DEPARTMENT AND SCHEDULE A TOUR OF THE PUBLIC WORKS FACILITY FOR INTERESTED CITIZENS. VOTE: AFFIRMATIVE

Alderman McDuffee requested the fact sheet and announcement of the tour date be placed on the Town's website.

Mayor Nelson asked that the town staff consider building a portion of the public works facility underground.

Alderman Gist reiterated her request that the town staff consider building a multi-story public works facility.

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**PUBLIC HEARING/A REQUEST TO TEMPORARILY CLOSE PINE STREET FOR THE PINE STREET BLOCK PARTY**

The Town Administration recommended the temporary closing of Pine Street from 5 pm to 9 pm on Friday, September 7th to accommodate the Pine Street Block Party being hosted by the Pine Street Homeowner's Committee. In accordance with Section 7-19 of the Town Code, a public hearing must be held to receive public input prior to issuing a Street Closing Permit.

Armin Lieth stated that he was not informed by the Pine Street Homeowners' Committee or the Town of this request to close Pine Street. Mr. Leith read a letter from his tenants on Pine Street expressing concern and discomfort caused by the posting of protest signs in front of their rental units, and spoke against the street closing.

Margaret Penzick stated that all residents of Pine Street were notified of the block party and that this block party was not advertised in The Daily Tarheel. Ms. Penzick stated that the Pine Street Homeowners Committee consists of any Pine Street residents who wishes to attend their meetings.

Ms. Olean Phillips stated that Mr. Lieth did not inform any Pine Street residents of his development.

Jennifer Hay stated that she had personally delivered invitations to all Pine Street residents.

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

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Allen Spalt.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF PINE STREET  
TO ACCOMMODATE THE PINE STREET BLOCK PARTY  
Resolution No. 13/2001-02

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. Pine Street shall be temporarily closed from 5 pm to 9 pm on Friday, September 7th to accommodate the Pine Street Block Party.

Section 2. The Public Works department shall provide temporary traffic control devices on the day of the closing (cones, barricades and signs).

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 28th day of August, 2001:

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

Noes: None

Absent or Excused: None

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### **RECREATION AND PARKS DEPARTMENT MISSION**

The Town's Recreation and Parks Department has experienced tremendous growth over the past several years in terms of facilities, programs and community demands. For that reason, the administration has determined that the role or mission of the department should be reviewed so that the operation of the department more clearly meets the needs of the community in regards to leisure services. This matter was before the Board of Aldermen to provide an opportunity to discuss this need and recommended process for achieving this assessment.

Richard Kinney, the Town's Recreation and Parks Department Director, made the staff presentation.

Mayor Nelson asked that the facilitated meeting date be changed because there is a candidates forum scheduled for October 18<sup>th</sup>. In addition, Mayor Nelson asked that focus groups be identified to solicit input on programming.

Alderman McDuffee asked that feedback be sought from dance groups and other groups currently using the Century Center. In addition, the Town should facilitate and partner with dance groups and soccer groups.

Alderman Dorosin also expressed a desire to use focus groups and targeted populations. He also stated that this process should identify goals that the Town would like to reach.

Alderman Gist asked that the town staff review the data on citizens currently using the Town's recreation programs.

Alderman Spalt asked that the staff discuss reaching citizens who do not currently use the Town's recreation programs and requested that the word "leisure" not be used.

It was the consensus of the Board to refer this matter back to the Town staff to revise the resolution based on the Board's comments.

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## **FUNDING REQUEST/COMMUNITY CUISINE**

The purpose of this item was to consider a request for funding from Community Cuisine. The administration recommended that this request be denied because the Human Services grant process is complete and all funds set aside have been allocated.

James Harris, the Town's Community and Economic Development Director, made the staff presentation.

Sydney Sherrod, Executive Director of Community Cuisine, stated that their organization was experiencing a change in executive directors during the Town's Human Services funding process. Ms. Sherrod and others described some of the services provided by Community Cuisine.

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY MARK DOROSIN TO APPROVE A \$2,500 APPROPRIATION FROM THE CONTINGENCY FUND. VOTE: AFFIRMATIVE ALL

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## **REVIEW OF PINE STREET SITUATION**

Following citizen comments associated with new development on Pine Street in May and June of 2001, the Board of Aldermen requested an opportunity to review all the issues to date and determine whether and how to proceed with changes in policy or regulation. A resolution providing an opportunity for such actions to be specified was prepared for the Board's use.

Alderman Dorosin suggested the Board discuss the following:

- **Density, limits of the size of second homes on a single lot or the change of a single dwelling into either a multi-family unit or a duplex**

What are the current restrictions?

Are there gaps and the ramifications of those gaps?

- **Controls on the definition of "family" and limitations on residents in a single dwelling.**
- **The effects (parking, noise, littering)**

Alderman McDuffee asked for an analysis on permitting on street parking and limiting the number of vehicles that can be parked on a lot.

Andreas Hay presented a list of suggested changes to the Town's Land Use Ordinance for the Board's review. These suggestions deal with protection of older neighborhoods, improving public safety, incentives for affordable housing, and improved public notification.

Constance Newman, a resident of Oak Street, asked if the Pine Street residents were aware of the development at 106 Pine Street.

Armin Lieth stated that the Board has a responsibility to builders just as it does to residents and asked for the Board's assistance in preventing the removal of trees necessary to remove the existing building at 106 Pine Street.

It was the consensus of the Board to direct the town staff to draft an ordinance change so that a nonconforming house could not be doubled in size. In addition, the Board requested that the town staff provide alternatives for notification. The Board also expressed its desire to continue discussion of the items included in Mr. Hay's request at a later date.

Alderman Spalt suggested that the Pine Street neighborhood survey residents about traffic improvements.

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### **QUARTERLY REPORTS FOR THE QUARTER ENDING JUNE 30, 2001**

The purpose of the item was to present to the Mayor and Board of Aldermen Quarterly Reports for the quarter ending June 30, 2001. The following reports were provided: Century Center, Employment, Financial, Action Agenda, and Information Technology.

The Board requested that this item be rescheduled for September 4<sup>th</sup>.

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### **CANCELATION OF BOARD MEETING**

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK DOROSIN TO CANCEL THE SEPTEMBER 18<sup>TH</sup> MEETING OF THE BOARD OF ALDERMEN. VOTE: AFFIRMATIVE ALL

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### **REQUEST TO WAIVE RENTAL FEES AT THE CENTURY CENTER**

Mayor Nelson stated that he had received a request from Marty Mandell on behalf of Citizens for Livable Communities, asking that the rental fee for the Century Hall be waived for a candidates forum on October 15th from 3:00 – 5:00 p.m.

It was the consensus of the Board that the fees should not be waived for political events.

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### **AUTHORIZATION TO EXPLORE THE CO-LOCATION OF THE PUBLIC WORKS FACILITY**

Mayor Nelson asked for the Board's authorization to discuss with Mayor Waldorf the possibility of co-locating the Town's public works facility on a portion of the Horace Williams tract with the Town of Chapel Hill.

It was the consensus of the Board to authorize Mayor Nelson to have discussions with Mayor Waldorf.

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### **PRESERVATION OF ADAMS TRACT**

Mayor Nelson asked for authorization to send a letter to the Triangle Land Conservancy requesting their participation in purchasing and preserving the Adams tract.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO AUTHORIZE THE MAYOR THE SEND THE LETTER TO THE TRIANGLE LAND CONSERVANCY. VOTE: AFFIRMATIVE ALL

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 11:30 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk