

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 25, 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 FROM PINE STREET RESIDENT

Andreas Hay, a resident of Pine Street, read an email message dated September 21st that was addressed to the Mayor and Board of Aldermen.

The following is a list of the ordinance changes we feel are most needed to preserve neighborhoods, protect public safety, provide affordable housing and keep communities aware of development that will impact them. We plan to present this with a few additional details at the meeting next Tuesday. We wanted to give you a chance to read over and think about it prior to the meeting.

1. Eliminate the "two-family conversion" portion of section 15-182(b), which allows the conversion of a single-family home to a duplex on lots with 150% of the minimum lot size for the given zoning district. As currently allowed this gives developers an unfair advantage over owner-occupiers on the open market. Per the Planning Department, this is the biggest exposure to Pine Street and other similar neighborhoods from ultra-high density properties.
 - 1a. Add the ability to build a 500 square foot detached single family dwelling (granny suite) on lots with 150% of the minimum lot size for the given zoning district. Houses of this small size provide truly affordable housing, have minimal impact to the neighborhood, does not significantly skew the playing field toward developers/landlords, and take advantage of existing infrastructure.
2. Define "group homes" and/or "dormitories" and "other similar housing" (section 15-146) and provide some restrictions on these high density, high impact dwellings in residential neighborhoods
 - 2a. Require 150% of lot square footage (e.g., 15,000 sq ft in an R-10 zone) per group home dwelling.
3. Define "substantial impact" (section 15-52(c)) to ensure that neighbors are notified up front of developments that will impact them.
 - 3a. Provide more than 10 days for public comment or hold a public hearing.
4. Provide some limitations on the maximum number of parking spaces and/or the maximum number of regularly parked vehicles at a property including on-street parking. This could be based upon lot size and/or zoning district. It may be appropriate to restrict on-street parking on some streets to ensure this does not create on-street parking issues.

- 4a. Provide restrictions on creating and regulation on existing de facto cul-de-sacs. Shared driveways for properties with multiple high occupant density dwellings creates the traffic equal to or greater than many real cul-de-sacs with the exception that these de facto cul-de-sacs have unregulated (no signage) access to the street.
- 5. Limit the size of the expansion or replacement of a nonconforming dwelling (section 15-124(e)) to 750 sq ft or the size of the original non-conforming dwelling, which ever is larger. This protects affordable housing and eliminates the possibility of expanding a non-conforming dwelling to a huge size in multiple phases. This is the item of which you asked

Mr. Morgan stated that the Agenda Planning Committee had scheduled a Board discussion of the requested land use ordinance amendments for the October 2nd Board meeting.

Mayor Nelson asked that any language dealing with accessory apartments and/or “mother-in-law houses” be included in the October 2nd agenda item.

Alderman McDuffee requested that the information on Chapel Hill’s parking limits and on-street parking permits be included in the October 2nd agenda item.

DEVELOPMENT ON HANNA STREET

Brad Rigdon, a resident of Watters Road, expressed concern about a marketing brochure prepared by Carrboro Collaborative Development Association announcing plans to build 47 homes on Hanna Street. Mr. Rigdon stated that upon checking with the Town staff, no plan for this development has been submitted to the Town. Mr. Rigdon stated that this group also has a website concerning this development.

Jennifer Hay, a resident of Pine Street stated that it was good that Mr. Rigdon brought this matter to the Board’s attention.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPALT TO APPROVE THE SEPTEMBER 4, 2001 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING/VOLUNTARY ANNEXATION OF UNC PARK AND RIDE LOT

The purpose of this item is to accept a petition of voluntary annexation from the University of North Carolina for a portion of their property located off of University Lake Road proposed for a park and ride lot and to set a public hearing for October 23, 2001.

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

A RESOLUTION SETTING A PUBLIC HEARING
TO CONSIDER THE ANNEXATION OF PROPERTY OWNED
BY THE UNIVERSITY OF NORTH CAROLINA

(FUTURE SITE OF UNC PARK AND RIDE LOT)
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 17/2001-02

WHEREAS, the Town of Carrboro has received a petition from the owners of the UNC Park and Ride Lot site 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 October 23, 2001 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 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 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING/VOLUNTARY ANNEXATION OF PHASE VI OF THE WEXFORD SUBDIVISION

The purpose of this item was to accept a petition for the voluntary annexation of Phase VI of the Wexford Subdivision and to set a public hearing for October 23, 2001.

Alderman Spalt requested that a revised site plan map be included in the agenda packet for the October 23rd meeting.

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

A RESOLUTION SETTING A PUBLIC HEARING
TO CONSIDER THE ANNEXATION OF PHASE VI
OF THE WEXFORD SUBDIVISION
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 25/2001-02

WHEREAS, the Town of Carrboro has received a petition from the owners of Phase VI of the Wexford 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 October 23, 2001 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 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 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

MID-AUGUST TO MID-SEPTEMBER 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 August 16, 2001 through September 15, 2001 was presented.

APPOINTMENT TO THE ANIMAL CONTROL BOARD OF APPEALS

The Mayor and Board of Aldermen were requested to consider appointing Wendy Wenck to the Town's Animal Control Board of Appeals.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE
ANIMAL CONTROL BOARD OF APPEALS
Resolution No. 29/2001-02

WHEREAS, there is currently one vacant seat on the Animal Control Board of Appeals; and

WHEREAS, this position has been advertised and Wendy Wenck has submitted an application; and

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

Section 1. The Board of Aldermen hereby appoints Wendy Wenck to a seat on the Animal Control Board of Appeals.

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 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

Alderman Spalt requested that the advisory board appointment policy be reviewed concerning appointment of individuals to more than one board.

It was the consensus of the Board to ask the Agenda Planning Committee to schedule a review of the advisory board appointments guidelines.

PUBLIC HEARING/BUREAU OF JUSTICE LOCAL LAW ENFORCEMENT BLOCK GRANT

The purpose of this public hearing was to receive public input regarding the Bureau of Justice Assistance (BJA) 2001 Local Law Enforcement Block Grant (LLEBG). This grant is for \$18,197.00 and requires a 10% match (\$2,022) from the Town of Carrboro. The administration recommended adoption of a resolution accepting the grant and authorizing the payment of the town's 10% match from the funds budgeted for this grant in the Police Department's operational budget.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALLEN SPLAT TO CLOSE THE PUBLIC HEARING AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION ACCEPTING THE LOCAL LAW ENFORCEMENT BLOCK GRANT FOR YEAR 2001
AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE TOWN'S MATCH
Resolution No. 23/2001-02

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 2001 Local Law Enforcement Block Grant to the Carrboro Police Department, and

WHEREAS, a public hearing was held on September 25, 2001.

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

Section 1. The Board of Aldermen hereby accepts the Local Law Enforcement Block Grant in the amount of \$18,197.00.

Section 2. The Board of Aldermen hereby authorizes the expenditure of \$2,022.00 from the Police Department's operational budget for use as matching funds for the Local Law Enforcement Block Grant.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

MINOR MODIFICATION TO THE MORNINGSTAR MINI-STORAGE CONDITIONAL USE PERMIT

Mr. David Blevins, with Development Engineering, representing the Morningstar Group, has submitted a modification request for the Morningstar Mini-Storage Conditional Use Permit (CUP). The request consists of dividing the original single-phase project into four (4) phases. The Administration requested that the Board of Aldermen review, deliberate and make a decision regarding the conditional use permit minor modification request

Chris Murphy, the Town's Development Review Administrator, explained the proposed modification.

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

**A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR
THE MORNINGSTAR MINI-STORAGE AUTHORIZING FOUR (4) PHASES
Resolution No. 26/2001-02**

WHEREAS, the Carrboro Board of Aldermen has approved a Conditional Use Permit for the Morningstar Mini-Storage facility located at 510 Jones Ferry Road on November 14, 2000; and

WHEREAS, the approved CUP plans show only one phase; and

WHEREAS, the applicant has requested a modification to allow four phases; and

WHEREAS, the Land Use Ordinance specifies that requested phase changes must be processed similarly to other modification requests; and

WHEREAS, the Administration has determined that the requested phase change is a minor modification, which requires approval by the permit issuing authority (in this case, the Board of Aldermen).

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the minor modification to the Morningstar Mini-Storage facility authorizing four phases is approved.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

REPORT ON THE BOLIN CREEK BENTHIC MACROINVERTEBRATE SURVEY (SEPTEMBER 2000-JUNE 2001)

The purpose of this item was to receive a report on the four Bolin Creek Benthic Macroinvertebrate Surveys conducted: September 2000, December 2000, March 2001 and June 2001. George Pesacreta, of Ecological Consultants, presented the report.

Mayor Nelson asked that a summary of this report be placed on the town's website.

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

A RESOLUTION ACCEPTING A REPORT TITLED:
"BENTHIC MICROINVERTEBRATE SURVEYS IN BOLIN CREEK FROM
CARRBORO, NORTH CAROLINA (SEPTEMBER 2000-JUNE 2001)"
Resolution No. 19/2001-02

WHEREAS, the Town of Carrboro requested, through the annual Action Agenda, that a study be conducted to determine the health of Bolin Creek;

WHEREAS, Ecological Consultants surveyed three test sites along Bolin Creek in Carrboro's planning jurisdiction;

WHEREAS, the study found an improvement in species diversity in two sampling sites below Homestead Road;

WHEREAS, the study recommends that an annual survey be conducted to monitor water quality and the general health of the stream over time; and

WHEREAS, additional funds should be budgeted each fiscal year to conduct annual benthic surveys.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. The report entitled "Benthic Macroinvertebrate Surveys In Bolin Creek From Carrboro, North Carolina (September 2000-June 2001)" be accepted; and
2. The staff should continue to work with the consultant to conduct annual surveys; and

3. That this matter be referred to the Environmental Advisory Board for their study and recommendations for improvements to stream quality

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

DISCUSSION OF LITTER CLEAN UP PROPOSAL

Carrboro resident, Mr. Saul Threlkeld, presented two proposals to the Board of Aldermen at the August 28, 2001 Board meeting. The objective of these proposals is to enhance the Town's appearance by reducing the amount of litter in Carrboro.

The first proposal presented by Mr. Threlkeld is to regulate all signs, advertisements, and posters that are currently placed on utility poles. The purposes of this self-regulation policy would be to make residents accountable for cleaning up and discarding posters with dates that have expired. He also proposed that the Town hold a litter free awareness week with citizen involvement in collecting litter from the streets.

Chris Peterson, the Town's Public Works Director, made the report.

Mayor Nelson asked that the town staff place a garbage can and bench on South Greensboro Street in front of the old post office building and remove litter along the Frances Shetley Bikepath.

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

**A RESOLUTION ACCEPTING THE RECOMMENDATION TO PARTICIPATE
IN THE STATE'S ANNUAL LITTER SWEEP CLEANUP
Resolution No. 20/2001-02**

WHEREAS, the North Carolina Department of Transportation annually organizes a statewide fall roadside cleanup to guarantee clean and beautiful roads throughout the State; and

WHEREAS, the Administration wishes to ensure clean roads in Carrboro.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen, that the Aldermen consider the Administration's recommendation to approve the Town's participation in the State's Annual 2001 Litter Sweep Roadside cleanup, September 17-October 15, 2001.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

Mayor Nelson asked that the town staff investigate alternatives to kiosks for citizens to display flyers.

Saul Threlkeld asked that downtown businesses be asked to help with litter clean up.

Alderman Zaffron suggested that the Carrboro Business Association be included in the 2002 litter clean up program.

Alderman Spalt asked about the "Adopt a Street" program.

Mr. Peterson stated that the Adopt a Street program results in the installation of too many signs.

Alderman Dorosin suggested that citizens be recognized in same manner other than the posting of signs.

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 is brought back before the Board of Aldermen to provide an opportunity to discuss potential focus groups recommended for achieving this assessment.

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

Alderman Gist asked that citizens with special needs be included in the focus groups, specifically from Club Nova

Alderman Dorosin suggested that the town staff look at additional ways of reaching the African-American and Hispanic/Latino communities by possibly going to El Centro and to the African-American neighborhoods.

The following resolution was introduced by Alderman Allen Spalt and duly seconded by Alderman Diana McDuffee.

A RESOLUTION REQUESTING THAT THE TOWN PROCEED WITH THE DEVELOPMENT
OF NEW MISSION AND GOALS FOR THE
RECREATION AND PARKS DEPARTMENT
Resolution No. 27/2001-02

WHEREAS, the Carrboro Board of Aldermen recognizes the value of public park and recreation facilities to all citizens, and

WHEREAS, public leisure services must be re-assessed periodically to most effectively and efficiently serve the community, and

WHEREAS, the Board of Aldermen recognizes that the Town's population and recreation facilities and programs have sufficiently changed to warrant an assessment of the Recreation and Parks Department Mission and Goals.

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

Section 1. That the Board of Aldermen asks that the administration proceed with a process to reassess the Recreation and Parks Department's Mission and Goals.

Section 2. That the administration follow the recommended process as described in the agenda abstract and final Board action:

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 25th day of September, 2001:

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

Noes: None

Absent or Excused: None

REQUEST FOR FURTHER DIRECTION ON THE PAPERLESS STRATEGY FOR THE TOWN

The purpose of this item was to seek further guidance from the Board of Alderman on how the Town of Carrboro is to proceed with implementing a paperless work environment strategy. Staff hopes to identify specific *paper-bound* tasks that the Board of Aldermen deems desirable to move to a *paperless* based task. The Board was also requested to further clarify the priority of implementation of those *paperless* tasks.

Andy Vogel, the town's Network Administrator, made the presentation.

Alderman McDuffee asked that the following information be included on the town's website:

- telephone numbers for town staff members;
- information from each department on frequently asked questions;
- advisory board application
- definitions of Planning Department phrases
- Planning Department notification guidelines
- Flow chart of process for CUPs, SUPs, and rezoning requests
- Public Works service schedules

Alderman Zaffron asked that the town staff pursue making the website easier to locate.

Alderman Spalt asked that a paper directory of town staff members be printed. In addition that lengthy documents be placed on the website rather than including copies in Board of Aldermen packets.

Mayor Nelson asked that advisory board applications, a listing of available commercial space, on-line registrations, and a town newsletter receive priority for placement on the website. The Board asked town staff to prepare an implementation timeline for the Board's review.

REVIEW OF FY01-02 FEE SCHEDULE AND REQUEST FOR BOARD APPROVAL TO REVISE THE FY01-02 FEE SCHEDULE

At the June 26, 2001 Board meeting whereby the Board adopted the FY01-02 budget and fee schedule, Alderman Spalt requested a review of the fees charged by the Town to identify fees that may need refining. The Board was requested to provide input on the fee schedule and to approve a resolution to modify various fees on the FY01-02 fee schedule.

The Board deferred action on this matter until October 2nd.

Alderman Broun asked whether the Town could base permit fees on square footage and whether there is a legal reason for returning one-half of the fee for a rezoning request if the rezoning is denied.

Alderman Spalt asked for more information on transportation impact fees.

A REQUEST TO SET A PUBLIC HEARING ON AN ORDINANCE AMENDING THE TOWN CODE TO REGULATE THE USE OF AND INTERFERENCE WITH PUBLIC STREET RIGHTS-OF-WAY

The purpose of this item was to consider an ordinance that revises Articles I and II of Chapter 7 of the Town Code, primarily to deal with the issues raised by the possibility that various telecommunications providers will seek to lay their lines within town streets.

The Board deferred action on this matter until October 2nd.

PRESENTATION OF DOWNTOWN VISIONING REPORT

Mr. Morgan presented dates that Dan Burden with Walkable Communities is available to present the downtown visioning report to the Board and town citizens.

The Board requested that the Manager check with Mr. Burden for other dates after November 14th and if none are available, that the report be scheduled for December 14th.

APPOINTMENTS TO HORACE WILLIAMS TRACT COMMITTEE

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPOINT ALDERMEN MCDUFFEE AND SPALT TO SERVE AS THE TOWN'S REPRESENTATIVES ON THE HORACE WILLIAMS TRACT COMMITTEE. VOTE: AFFIRMATIVE ALL

MEETING TO DISCUSS CHAPEL HILL TOWNSHIP PARK AND EDUCATION CAMPUS

Mr. Morgan stated that Orange County has set a meeting for October 22nd to discuss the Chapel Hill Township Park and Education Campus.

Mayor Nelson stated that there is a candidate forum scheduled for October 22nd and requested that the meeting change be changed.

SHEPERD HOUSE

Alderman Gist asked that the Town staff investigate why Sheperd House is paying city taxes since they are church-owned and a nonprofit agency.

CENTURY CENTER CYBRARY

Alderman McDuffee presented a report from the Library Task Force and asked that the Agenda Planning Committee schedule a date for the Board to consider adopting a resolution agreeing that the Town will provide rent-free space and ten computers at the Century Center for the Cybrary. She stated that she would draft the resolution for the Board's consideration.

APPOINTMENT TO ORANGE COUNTY HOUSING LAND TRUST BOARD

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY JOAL HALL BROUN TO APPOINT SHIRLEY MARSHALL AS THE TOWN'S REPRESENTATIVE ON THE ORANGE COUNTY HOUSING LAND TRUST BOARD. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 11:15 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk