

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 15, 2002 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
	John Herrera
	Diana McDuffee
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE JANUARY 8, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

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**APPOINTMENT TO THE APPEARANCE COMMISSION/NPDC**

The Chair of the Appearance Commission/Neighborhood Preservation District Commission recommended that Douglas Kopec be appointed to the vacant seat on the Commission. It was recommended that the Board adopt a resolution making this appointment.

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

A RESOLUTION APPOINTING DOUGLAS KOPEC  
TO THE APPEARANCE COMMISSION/  
NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION  
Resolution No. 81/2001-02

WHEREAS, there is currently one vacant seat on the Appearance Commission/ Neighborhood Preservation District Commission; and

WHEREAS, this positions has been advertised and Douglas Kopec has submitted an application for a seat on the Appearance Commission/NPDC; and

WHEREAS, Mr. Kopec'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 Mr. Kopec's application and is recommending that he be appointed to the vacant seat 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 Douglas Kopec to a seat on the Appearance Commission/NPDC. Mr. Kopec's term shall expire in February 2003.

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 15th day of January, 2002:

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

Noes: None

Absent or Excused: None

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### **REQUEST FOR USE OF CENTURY CENTER BY MOVEMENT EDUCATORS**

Movement Educators would like to hold a Feldenkrais Profession Training Program in North Carolina and have expressed a serious interest in use of the Century Center Hall. Because their request could not be met under guidelines, the Recreation and Parks Commission appointed a subcommittee to meet with the organizers to find a solution to their need. The purpose of this agenda item was to provide the Board of Aldermen an opportunity to consider Movement Educators' request for use of the Century Center that would span a four-year commitment.

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

Mayor Nelson suggested that fees closer to market value be used for future long-term requests.

Mr. Kinney stated that the Town had explained to Movement Educators that the fees could increase over the four-year term.

Doris Murrell, Chair of the Recreation and Parks Commission, stated that the Commission would come back to the Board of Aldermen if the Town receives requests for additional long-term use of the Century Center.

Alderman McDuffee stated that the Board of Aldermen's subcommittee charged with reviewing the operational guidelines and fees for the Century Center should consider long-term requests.

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

#### **A RESOLUTION APPROVING A REQUEST BY MOVEMENT EDUCATORS TO USE SPACE IN THE CARRBORO CENTURY CENTER HALL Resolution No. 80/2001-02**

WHEREAS, the Carrboro Century Center opened for public use in April 2001; and

WHEREAS, the Century Center will provide space for art classes, dance, theater, concerts, and many other artistic and cultural endeavors; and

WHEREAS, a set of guidelines for reservation of the Center has been approved; and

WHEREAS, the Carrboro Century Center is expected to meet the needs of the entire community and it is recognized that some requests will not effectively fit approved guidelines, but still warrants consideration as a special request and considered on an individual basis.

NOW, THEREFORE, THE BOARD OF ALDERMEN RESOLVE THE FOLLOWING:

Section 1. That the Board of Aldermen has received the request from Movement Educators for a Feldenkrais Professional Training Program scheduled for times beginning in 2003 and ending in 2006 as defined in Attachment B.

Section 2. The Board considers that Movement Educators' request meets several expectations in the initial investment of the center.

Section 3. That this request be approved as a one-time, special request.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15th day of January, 2002:

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

Noes: None

Absent or Excused: None

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### **REVIEW: SCREENING, SETBACK REQUIREMENTS AND SPECIAL EXCEPTIONS**

The Board of Aldermen 2001-2002 Action Agenda calls for a review of screening and setback requirements and the special exception permit provision. A report was presented. A resolution receiving the report was recommended for the Board's approval.

Trish McGuire, the Town's Planning Administrator, made the presentation.

Alderman McDuffee stated that her interest is in determining whether the town's setback and screening requirements meet the Board's interest in developing walkable communities and pedestrian-friendly communities and how they will affect village-mixed uses and other plans for the downtown visioning process.

Alderman Dorosin stated that he was interested in adjusting open space requirements for affordable housing projects.

Alderman Broun suggested that the architecturally integrated subdivision provision be used in conjunction with the affordable housing bonus.

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

### **A RESOLUTION ACCEPTING A REPORT: SETBACKS, SCREENING AND SPECIAL EXCEPTIONS**

WHEREAS, the Carrboro Board of Aldermen has requested information on setback and screening requirements, and on special exception permits.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen have reviewed materials compiled to address this request and have accepted this report, and requests that the Agenda Planning Committee schedule a worksession to discuss changes in setback and screening requirements and whether these requirements are meeting the Board's goals for the Town, and that the town staff provide street maps showing:

- zoning districts
- setback requirements
- permissible uses
- remaining developable land

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15th day of January, 2002:

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

Noes: None

Absent or Excused: None

The Board requested that the town staff analyze options for adjustments to setbacks for affordable housing density bonus projects.

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**AUTHORIZATION TO JOIN TRIANGLE J COUNCIL OF GOVERNMENT'S CABLE T.V. CONSORTIUM**

Triangle J Council of Governments has formalized its relationship with member governments that have sought technical and legal assistance with cable television administration; public, education, and government access television; and telecommunications regulatory matters. The purpose of this item was to request that the Board approve the Town joining the Triangle J Council of Governments Cable Television Regulatory Consortium.

Richard White, the Assistant to the Town Manager, made the presentation.

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

A RESOLUTION AUTHORIZING THE TOWN OF CARRBORO  
TO JOIN THE TRIANGLE J COUNCIL OF GOVERNMENT'S  
CABLE TELEVISION REGULATORY CONSORTIUM  
Resolution No. 83/2001-02

BE IT RESOLVED by the Carrboro Mayor and Board of Aldermen that the Board authorizes the Town to join the Triangle J Council of Government's Cable Television Regulatory Consortium.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15th day of January, 2002:

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

Noes: None

Absent or Excused: None

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**LETTER TO TIME WARNER CLARIFYING CABLE FRANCHISE AND ORDINANCE**

The Mayor and Board of Aldermen adopted the new cable franchise on April 21, 2001. Time Warner had thirty days in which to accept the franchise. Time Warner did not accept the franchise due to concerns about language in the cable ordinance. The purpose of this item was to authorize the Town Attorney to send a letter clarifying the Town's interpretation of the cable ordinance and how it relates to the cable franchise.

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

A RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO SEND A LETTER  
TO TIME WARNER PROVIDING INTERPERTATION OF THE CABLE ORDINANCE  
AS IT RELATES TO THE CABLE FRANCHISE  
Resolution No. 82/2001-02

BE IT RESOLVED, By the Carrboro Mayor and Board of Aldermen that the Town Attorney is authorized to send a letter to Time Warner providing the Town's interpretation of the cable ordinance as it relates to the cable franchise with the understanding that Time Warner has thirty days in which to accept the franchise upon receiving the letter from the Town.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15th day of January, 2002:

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

Noes: None

Absent or Excused: None

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**A REPORT ON THE PROPOSED AGENDA FOR THE 2002-03 PLANNING RETREAT**

The Retreat Planning Committee has revised the agendas for the January 27 & 28 Planning Retreat. The Committee requested that the Board approve the proposed agendas.

The following resolution was introduced by Alderman and duly seconded by Alderman .

A RESOLUTION APPROVING THE JANUARY 27 & 28  
PLANNING RETREAT AGENDAS

BE IT RESOLVED that the Mayor and Board of Aldermen approves the proposed agendas for the January 27 & 28, 2002 Board of Aldermen Planning Retreat.

BE IT ALSO RESOLVED that the Board agrees to prioritize action items by simple majority that focuses staff resources on significant policy and programmatic service delivery issues that are directly aligned with Board goals and objectives.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15th day of January, 2002:

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

Noes: None

Absent or Excused: None

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**REVIEW OF GUIDELINES FOR SELECTING ADVISORY BOARD AND COMMISSION MEMBERS**

At the September 25, 2001 meeting of the Board of Aldermen, the Board requested that the Agenda Planning Committee schedule a review of the Guidelines for Selecting Advisory Board and Commission Members. The current guidelines were provided for the Board's review.

The following resolution was introduced by Alderman and duly seconded by Alderman .

**A RESOLUTION REVISING THE TOWN'S GUIDELINES  
FOR SELECTING ADVISORY  
BOARD AND COMMISSION MEMBERS  
Resolution No. 78/2001-02**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board has reviewed the Guidelines for Selecting Advisory Board and Commission Members and hereby makes the following revisions:

Under Appointments, the language "Membership limited to one board or commission" shall be revised to read "Membership shall be limited to one seat on the following boards and commissions: Board of Adjustment, Planning Board, Appearance Commission, Transportation Advisory Board, Recreation and Parks Commission, Cable T.V. Committee, Human Services Commission, Cemetery Commission, Environmental Advisory Board, Downtown Development Commission, Northern Transition Area Advisory Committee, Arts Committee and OWASA Board of Directors.

Section 2. The Town staff is hereby directed to enforce these guidelines.

Section 3. That the Agenda Planning Committee schedule a work session with advisory board chairs to discuss term limits, appointments, size of boards and committees, and performance evaluation of boards and committees.

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 15th day of January, 2002:

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

Noes: None

Absent or Excused: None

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### **STATUS REPORT/LLOYD STREET TRAFFIC SIGNAL**

Mr. Morgan stated that NCDOT has informed the Town that the Lloyd Street traffic signal has been delayed due to design issues. It is estimated that it will be one year before the light is installed.

The Board requested that Mayor Nelson forward a letter to the Town's legislative delegation requesting assistance in urging NCDOT to accelerate the installation of this traffic signal.

Mayor Nelson stated that he would also call Senator Kinnaird requesting her assistance in this matter.

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### **TOWN MANAGER'S EVALUATION**

Mayor Nelson distributed the Town Manager's evaluation forms and requested that Board members complete those forms and turn them in to the Town Clerk by noon on Friday, January 18<sup>th</sup>. The Town Clerk will make copies of all evaluation forms and distribute them to the Board in their agenda packets on Friday, January 18<sup>th</sup>.

Alderman Herrera will distribute copies of his evaluation form at the Board meeting on Tuesday, January 22<sup>nd</sup>.

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### **HILLSBOROUGH ROAD NEIGHBORHOOD PARK**

Alderman Dorosin requested a status report on the design of the Hillsborough Road Neighborhood Park and requested that a meeting of the design committee be scheduled.

Mr. Morgan stated that he would like to discuss this matter at the upcoming retreat.

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### **REQUEST FOR A REPORT ON A BURNED STRUCTURE**

Alderman Dorosin requested a report from the Town staff on the status of repairs to the burned house located on Estes Drive adjacent to Kingdom Hall.

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**REMOVAL OF ICE FROM SIDEWALKS**

Alderman Herrera asked whose responsibility it is to remove ice from sidewalks.

Mr. Morgan stated that it is the owner/business owners' responsibility to remove ice from the sidewalk along their property.

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**OWASA VACANCY**

The Board requested that the Town staff advertise the Town's position on the OWASA Board of Directors that expires in June 2002.

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**STATUS OF GREENE TRACT DISPOSITION**

Alderman Broun requested a status report on the disposition of the Greene Tract.

Mr. Morgan stated that he would find out when the next meeting of the committee considering this matter will be held.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION TO PEFORM THE TOWN CLERK'S EVALUATION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO AWARD THE TOWN CLERK A 2 ½% MERIT INCREASE TO BECOME EFFECTIVE RETROACTIVE TO JANUARY 5, 2002. VOTE: AFFIRMATIVE ALL

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

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Mayor

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Town Clerk