

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 9, 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 JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO APPROVE THE APRIL 2, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/CLUB NOVA

Mr. Giles Blunden, representing OPC Foundation, has submitted an application for a Conditional Use Permit (CUP) to allow twenty-four (24) single-room occupancy units in a three-story apartment building at 103 West Main Street. An existing eight-unit apartment building on the property would be demolished to make room for the proposed new building. A 2,043 square foot office building and a 1,600 square foot retail building would remain in place on the property. 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 review, deliberate, and make a decision regarding the conditional use permit application.

Marty Roupe, the town's Interim Development Review Administrator, was sworn in. Mr. Roupe made the staff presentation.

Giles Blunden was sworn in. Mr. Blunden presented a rendering of the proposed building.

Tom Whisnant was sworn in. Mr. Whisnant spoke in support of the proposed development.

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

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JOHN HERRERA THAT THE APPLICANT SUBMIT A REVISED SET OF PLANS DEMONSTRATING COMPLIANCE WITH SECTION 15-184(K) OF THE TOWN OF CARRBORO LAND USE ORDINANCE, PRIOR TO THE ISSUANCE OF THE CONDITIONAL USE PERMIT AND THAT THE TOWN STAFF REVIEW THE IMPACT ON INDIVIDUAL DETACHED DWELLING UNITS. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JACQUELYN GIST THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15064 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That seventeen (17) parking spaces shall be required for the project due to the project's proximity to a bus line, proximity to a municipal parking lot, low rate of expected vehicular ownership amongst the residential population, and complementary hours of operation between the office use and retail use in the context of use of parking spaces; and
4. That the applicant shall dedicate to the Town additional right-of-way along West Main Street to a distance of three-feet (3') beyond the back edge of the existing sidewalk; and
5. That the applicant be required to submit letters from all utility companies expected to serve the development prior to construction plan approval. The letters shall state that the utility company is able and willing to serve the proposed development; and
6. That fire flow calculations be submitted to and approved by the Town of Carrboro Fire Chief and Town Engineer prior to construction plan approval.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOHN HERRERA THAT THE FOLLOWING CONDITIONS BE ADDED:

1. That an intercom system be incorporated into the construction plan to enhance the level of communication and accessibility between residents and visitors to the complex
2. That a painted crosswalk be added to the construction plans located between the clubhouse and the main entrance to the apartment building.

VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (DOROSIN, BROUN)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO GRANT THE APPLICATION, SUBJECT TO THE FOREGOING CONDITIONS. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/VOLUNTARY ANNEXATION OF THE FRED WAYNE HUTCHINS PROPERTY

The purpose of this item was to receive citizens' comments regarding a petition for the voluntary annexation of the Fred Wayne Hutchins property located west of the Wexford Subdivision off of Tramore Drive.

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

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING THE FRED WAYNE HUTCHINS PROPERTY." VOTE: AFFIRMATIVE ALL

WORKSESSION TO DEVELOP AN ECONOMIC DEVELOPMENT TOOL BOX ACTION PLAN

The purpose of this item was to request that the Board of Aldermen select from the recommended economic Tool Box strategies they wish to pursue and direct staff to develop an action plan for carrying out the strategies.

The Mayor and Board of Aldermen gave the following directions:

Infrastructure Requirements

- Create a parking task force to review options for location of public parking, cooperative and shared parking, and construction of parking facilities and make recommendations to the Board of Aldermen.
- Develop a charge and timeline
- Bring suggested names to Board of Aldermen for appointment
- That the task force provide interim reports

Real Estate Development

- Develop a smart growth matrix similar to Austin, Texas program as a model
- Planning Board to work with planning staff to develop this, also get input from Environmental Advisory Board
- Use Triangle J COG Smart Growth Commission
- Change bullet #1 under 3. to read: "Private developers see any delays or capriciousness in application and permitting process in Carrboro as major weakness in development."
- Include affordable housing and mixed use developments as a high value

Business Assistance and Organization Recommendations

- Include more emphasis on micro-businesses and neighborhood entrepreneurship (DDC and Goodworks)
- Create a group to focus on space for IT and professional service businesses focusing on mixed use with flexible office space to:
 - raise Carrboro's visibility in attracting these businesses to Carrboro,
 - work as a clearinghouse to work with landlords on the needs of this kind of businesses
 - look at feasibility of fiber network
 - work with UNC, the Chamber of Commerce and other regional groups to attract these businesses to Carrboro
 - participate in UNC groups to market Carrboro as a place to do business
- Use existing IT roundtable
- Break down recommendations and assign
- Create same focus for other businesses
- Have a "Buy in Carrboro" and "Buy in Orange County" strategy that works – survey businesses (Carrboro Business Association)
- Change to an aggressive marketing strategy (use services of Research Triangle Regional Partnership)

- Use services of Work Smart (receive a presentation)

Guiding Principles

- State development goals for downtown (Board of Aldermen and DDC) using structure of Davis Development Strategy
- Compile a list of attractions in Carrboro
- Have Farmers' Market and other attractions listed in North Carolina Visitors' Guide, the RTRP, Chamber of Commerce, and entertainment publications
- Have Art Committee continue with placing art sculptures in downtown
- Create an awards program for businesses who promote doing great things for Carrboro
- Have Environmental Advisory Board look at methods suggested by the Rocky Mountain Institute
- Have a report on the methods suggested by the Rocky Mountain Institute

It was the consensus of the Board to request that the town staff develop timelines for the Board's review.

Alderman Zaffron requested that the parking task force have a report back to the Board within 90 days.

A REQUEST TO CONSIDER REDUCED FUNDING LEVELS FOR NONPROFIT GRANTS FOR THE FY'02-03 BUDGET

The Board was requested to consider reduced funding for nonprofit organizations in FY02-03 due to shortfall in town revenues and poor fiscal outlook. The Town, in past years, has committed approximately one cent on the tax rate (\$100,000) toward nonprofit grant funding. The Town Manager requested authorization to amend this policy and to reduce funding by \$10,000.

It was the consensus of the Board to request that the Human Services Commission provide two recommendations--one allocating \$105,386 and an alternate recommendation allocating \$10,000 less.

It was the consensus of the Board to have a discussion of guiding principles for the 2002-03 budget at the beginning of the May 2nd budget work session.

REPORT FROM THE COMPENSATION SUBCOMMITTEE

The Compensation Subcommittee presented the following report:

In light of the recent budget crisis, the compensation committee is going to delay the study of improvements to Carrboro's compensation package. No major changes in how raises are awarded will be recommended for the upcoming budget year. The committee does have recommendations for continuing work on the study in the next budget year.

The Town Manager is directed to prepare a performance-based evaluation plan for department heads that would be used as support for awarding merit raises. The plan would be specific to each department head with means of evaluating the overall departmental functioning and the contribution the department head has made toward meeting the departmental goals and the organizational goals.

The committee will direct the staff to analyze the fiscal effects of full implementation of the market study in years when the study is conducted to replace annual COLA raises. In conjunction with full implementation of

the market study, only merit raises would be awarded annually. A committee member will meet with the Town Manager to confer on completion of the analysis.

It was the consensus of the Board to direct the Town Manager to prepare a performance-based evaluation plan for department heads and ask the town staff to analyze the fiscal effects of the full implementation of the market study in years when the study is conducted to replace annual COLA increases.

REVIEW OF DRAFT RESOLUTION/GREENE TRACT

Alderman Zaffron requested that the Mayor and Board of Aldermen review a resolution reporting progress towards a recommended concept plan for the portion of the Greene Tract that remains in joint ownership.

It was the consensus of the Board to agree to extend the bargaining period by a period of 60 days to permit the Greene Tract Work Group to finalize its work.

REPORT FROM ADAMS TRACT PRESERVATION COMMITTEE

Mayor Nelson stated that on March 28, 2002, the Adams Tract Committee had a lengthy and detailed discussion about how to respond to the current fiscal crisis. Our ability to actively pursue purchase of the Adams Tract has been hindered by the following: 1) the county's decision to delay issuance of recreation and parks bonds, 2) the freezing of the state's Clean Water Trust Fund, and 3) our own tough financial situation.

The committee makes the following recommendations to the Board of Aldermen for action:

- 1) If acquired by the Town, that the Adams Tract be designated as Open/Green Space
- 2) Petition the County Commissioners for \$500,000 from the Lands Legacy program to match an application to the Federal Land and Water Conservation Fund
- 3) Direct the staff to prepare a grant proposal to be submitted this June 2002 to the Clean Water Fund for the purchase of this property
- 4) Send a letter to Mrs. Adams indicating that we are still interested in the property, but that there are concerns about the cost. In addition, Mrs. Adams should be informed about the seriousness of the current budget crisis.

In addition, the committee has agreed not to meet again until this summer, after Carrboro, the County, and the State have adopted budgets.

It was the consensus of the Board to direct the town staff to proceed with the recommendations of the Adams Tract Preservation Committee.

TERM LIMITS FOR ADVISORY BOARD MEMBERS

Mayor Nelson presented the following proposal for limiting terms of advisory board members:

Advisory board members are limited to two full terms. After completing two full terms, a member must take off one year before applying for re-appointment to the advisory board. However, a board member may apply to serve on another advisory board if he/she desires.

The Board of Aldermen may make exceptions to this rule under the following circumstances:

- To retain diversity on an advisory board;
- To provide continuity in oversight of a major, on-going project; or
- To keep a member who provides expertise otherwise unavailable on an advisory board (e.g., an engineer on the Planning Board or Board of Adjustment); or
- A lack of qualified applicants.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA TO AMEND THE GUIDELINES FOR APPOINTMENT OF ADVISORY BOARD MEMBERS TO INCLUDE THE TERM LIMIT PROVISIONS SUGGESTED BY MAYOR NELSON. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (ZAFFRON)

A RESOLUTION IN SUPPORT OF CONTINUED FUNDING FOR THE ORANGE COUNTY DISPUTE SETTLEMENT CENTER

The following resolution was introduced by Alderman Jacquelyn Gist and seconded by Alderman Joal Hall Broun.

A RESOLUTION IN SUPPORT OF CONTINUED FUNDING FOR THE
ORANGE COUNTY DISPUTE SETTLEMENT CENTER
Resolution No. 130/2001-02

WHEREAS, the Orange County Dispute Settlement Center has served the citizens of Orange County for over twenty years, providing mediation, conflict resolution and community facilitation; and

WHEREAS, in the year 2001 alone the OCDSC provided services to 3,758 individuals including 1,000 people referred from the Orange County Criminal District Court and the Office of Juvenile Services thereby saving taxpayers many thousands of dollars in court costs; and

WHEREAS, a legislative allocation of \$84,530 provides core funding for this vital service using trained volunteers to extend monies and resources; and

WHEREAS, the Administrative Office of the Courts has recommended the elimination of funding for community mediation due to the state budget shortfall; and

WHEREAS, loss of this funding may result in the loss of mediators for court referrals leading to increased court overcrowding and lack of positive options for the resolution of interpersonal disputes.

NOW THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVE:

Section 1. The Board of Aldermen requests that the Administrative Office of Courts withdraw its recommendation to eliminate community mediation funding and that Governor Easley not accept the recommendation to eliminate funding so that our community may continue to receive this important and financially efficient service.

Section 2. Copies of this resolution shall be sent to Governor Mike Easley, the town's legislative delegation, Director of the Administrative Office of the Courts, and Chief Justice I. Beverly Lake.

Section 3. Copies of this resolution shall be forwarded to the Chapel Hill Town Council and the Orange County Board of Commissioners with the request that they adopt similar resolutions.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 9th day of April, 2002:

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

Noes: None

Absent or Excused: None

REQUEST FOR STATUS REPORT ON THE SMITH MIDDLE SCHOOL SOCCER FIELDS

Alderman McDuffee requested a status report on the Smith Middle School soccer fields and a staff recommendation for reservation management of the fields.

CHAMBER/CHAPEL HILL NEWS FORUM

Alderman Herrera requested that town staff's assistance in providing a site for the Chamber of Commerce/Chapel Hill News forum.

ESTES DRIVE WORKSHOP

Alderman Zaffron stated that NCDOT is holding a citizens information workshop on April 23, 2002 for the Estes Drive project.

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

Mayor

Town Clerk