

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 21, 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
	John Herrera
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Diana McDuffee
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BOLIN CREEK ECOLOGY

Melinda Fitzgerald, a teacher at Smith Middle School, stated that her sixth grade class had been studying the ecology of Bolin Creek. Some of her students spoke to the Board.

Mayor Nelson asked that the students give their written comments to the Board.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE MAY 14, 2002 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REQUEST TO SET A PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT RELATING TO PRIVATE ROADS AND THE CONNECTION OF STREETS

Staff has identified the need to clarify private road and street connection requirements. A draft ordinance has been prepared. In order to consider taking action on these changes, it will be necessary for the Board of Aldermen to receive public comment, a Planning Board recommendation, and Orange County comments regarding consistency with the Joint Planning Area Land Use Plan. A resolution that sets a public hearing for June 25, 2002 was recommended for the Board's adoption.

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

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT
AMENDMENT RELATING TO PRIVATE ROADS
AND THE CONNECTION OF STREETS

Resolution No. 146/2001-02

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

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen direct staff to prepare a draft ordinance, and that the Aldermen call a public hearing on June 25, 2002.

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board and TAB 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 21st day of May, 2002:

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

Noes: None

Absent or Excused: Diana McDuffee

A REQUEST TO MAKE AN APPOINTMENT TO THE CABLE T.V. COMMITTEE

The Chair of the Cable T.V. Committee recommended that Phyllis Holt be appointed to one of the vacant seats on the Cable T.V. Committee. It was recommended that the Board consider adopting a resolution making this appointment.

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

A RESOLUTION MAKING AN APPOINTMENT
TO THE CABLE T.V. COMMITTEE
Resolution No. 153/2001-02

WHEREAS, there are two vacant seats on the Cable T.V. Committee; and

WHEREAS, Ms. Phyllis Holt has applied for a seat; and

WHEREAS, Ms. Holt's application was reviewed by the Chair of the Cable T.V. Committee and the Chair is recommending Ms. Holt's appointment.

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

Section 1. The Mayor and Board of Aldermen hereby appoint Phyllis Holt to a seat on the Cable T.V. Committee. Ms. Holt's term shall expire in February 2005.

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 21st day of May, 2002:

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

Noes: None

Absent or Excused: Diana McDuffee

CHARGES ISSUED

Charges were issued to the following recently appointed advisory board members:

Rickie White – Environmental Advisory Board
Boyd Ellington – Cemetery Commission
Deborah Freed – Transportation Advisory Board
Britt Ludwig – Planning Board

A REQUEST FOR A MINOR MODIFICATION TO THE TOWN HALL TELECOMMUNICATIONS TOWER CONDITIONAL USE PERMIT

Jay Zaragoza, representing Cingular Wireless (formerly doing business as BellSouth Telecommunications Incorporated), has applied for a minor modification to the Town Hall Telecommunications Tower Conditional Use Permit located at 301 West Main Street. The Town Hall Telecommunications Tower CUP was issued on June 9, 1998 and was last amended on June 20, 2000 (to allow BellSouth Telecommunications, Inc. to replace three antennas with three smaller panel antennas (as well as equipment at ground level). The proposed minor modification consists of adding six panel antennas to the tower as well as installing additional equipment on the existing concrete pad at ground level. Per Section 15-176 (15) of the Land Use Ordinance (LUO), any substantial change to an existing tower must be approved through the minor modification process. The Administration requested that the Board of Aldermen review the request and make a decision regarding the minor modification.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Dorosin.

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE TOWN HALL
TELECOMMUNICATIONS TOWER LOCATED AT 301 WEST MAIN STREET ALLOWING CINGULAR
WIRELESS TO LOCATE SIX PANEL ANTENNAS ON THE TOWER AND INSTALL ADDITIONAL
EQUIPMENT ON THE EXISTING CINGULAR WIRELESS EQUIPMENT PAD
Resolution No. 140/2001-02

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 301 West Main Street on June 9, 1998; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any substantial change to an existing tower shall constitute a minor modification to the original Conditional Use Permit; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications for towers contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen approve the minor modification to the Town Hall Telecommunications Tower Conditional Use Permit located at 301 West Main Street allowing BellSouth Telecommunications to install six panel antennas on the tower and install additional equipment on the existing Cingular Wireless equipment pad.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of May, 2002:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, Michael Nelson, Alex Zaffron

Noes: John Herrera

Absent or Excused: Diana McDuffee

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENTS TO DEAL WITH VARIOUS ISSUES ARISING FROM INFILL DEVELOPMENT AND CLARIFICATION OF THE APPEALS PROCESS

In response to neighborhood concerns related to development on Pine Street and a discussion of the impacts of infill development in October and November 2001, the Board of Aldermen directed staff to prepare ordinance amendments to clarify ordinance provisions and strengthen protection for existing development. A draft ordinance clarifying the appeals process presented. A public hearing must be held to receive comments on the draft ordinance. The Administration recommended that the Board of Aldermen adopt the draft ordinances, with noted modifications.

Trish McGuire, the town's Planning Administrator, made the staff presentation.

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

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO DEAL WITH VARIOUS ISSUES ARISING FROM INFILL DEVELOPMENT, EXCLUDING SECTIONS 5 AND 6 AND TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO CLARIFY THAT APPEALS TO THE BOARD OF ADJUSTMENT MAY BE TAKEN WITHIN THIRTY DAYS OF WHEN THE APPELLANT LEARNS OF THE DECISION APPEALED." " VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REQUEST FOR TRAFFIC CALMING IN WEXFORD AND WILLIAMS WOODS AT CATES FARM

The Town of Carrboro's Residential Traffic Management Plan provides an opportunity for residents to petition for traffic calming measures on neighborhood streets. Residents of two adjacent neighborhoods, Wexford and Williams Woods at Cates Farm, have petitioned the Town to install traffic calming measures on several streets. The requests have been analyzed and a report has been prepared. A resolution for the Board of Aldermen's consideration was provided.

Dale McKeel, the town's Transportation Planner, made the staff presentation.

Alderman Gist asked that copies of petitions be submitted to the Board in the future. She also requested that the contractor working in this area be contacted concerning speeding construction traffic and that the police department monitor the speeding in this area.

George Stouffer, a resident of 404 Tramore Drive, stated that he and his neighbors are concerned that a small child will be hit by a car. The problem has increased because Wyndham Drive has recently been opened up.

Frank Haines, a resident of 206 Autumn Drive, stated that the center of this neighborhood has no traffic control to prevent speeding. Mr. Haines asked for a timetable as to when the speed bumps could be put into place.

Jim Williams, a resident of 407 Tramore Drive, expressed concern about the speeding construction traffic.

Alice Anderson, 300 Autumn Drive, expressed concern about unsafe traffic on Autumn Drive. Ms. Anderson suggested that barriers be put back up on Stratford and Wyndham.

Becky Hebert, a resident of 211 Wyndham Drive, requested that a four-way stop be installed now and the speed humps in the future.

Stephanie Padilla, a resident of Autumn Drive, stated that she observes people running the stop signs every day.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO:

- Direct the town staff to install four-way stop signs at the intersection of Tramore and Wyndham Drives;
- That the town staff and Transportation Advisory Board review the residential traffic management plan for speed and traffic control over the next 12 months, taking into consideration other traffic management plans that have been put into place. The staff and TAB should consider developing a provision for “special circumstances” (i.e., schools, playground access, etc.) that may justify deviations from the policy.
- That the town staff and Transportation Advisory Board consider traffic calming devices to address the issues that the neighbors requested (including all devices—not just those in the request from the neighbors), that grants be pursued, and that priorities be developed to address the issues listed in the petitions
- That stop bars be painted at all stop signs;
- That signs be installed at all three- and four-way stops to indicate that all motorists are to stop; and
- That a speed bump at the playground be a priority.
- That the police and fire departments comment on the affect of speed bumps on emergency response times.

VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

The Board instructed staff to not take additional petitions for traffic calming devices over the next 12 months and/or until the policy is revised and/or funding is available.

The Board requested that the Police Department closely monitor this area at the time when the high school lets out, along with construction traffic on Tramore Drive.

The Board also requested that the town staff check into whether higher fines could be imposed for traffic citations with the excess fines being set aside for traffic control devices.

Alderman Gist requested that neighbors be allowed to help fund the installation of traffic control devices.

Alderman Broun requested that the principal of Chapel Hill High be requested to remind students to drive safely.

REQUEST TO RESCHEDULE PUBLIC HEARING/LAND USE TEXT AMENDMENT AUTO SALES IN B-1(G)

Mr. Morgan requested that the Board of Aldermen reschedule the public hearing scheduled for June 4, 2002 on the land use ordinance text amendment relating to auto sales in the B-1(g) zoning district. The administration requested that this public hearing be rescheduled for June 18th in order that the Planning Board will have an opportunity to review this amendment.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO RESCHEDULE THE PUBLIC HEARING FOR JUNE 18, 2002. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

2002-03 BUDGET

Alderman Broun asked that the Board discuss a lay off plan if that becomes necessary.

The Board requested that this matter be discussed at the May 23rd budget worksession

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO ADJOURN TO CLOSED SESSION TO DISCUSS ACQUISITION OF PROPERTY. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 9:55 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

Mayor

Town Clerk