

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 28, 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 JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO APPROVE THE MAY 21, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

MID-APRIL THROUGH MID-MAY 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 of April 16 through May 15, 2002 was presented.

Alderman Zaffron requested that the town staff check with Orange County Erosion Control on the Lake Hogan Farms silt fence.

AWARD OF CONTRACT FOR EMPLOYEE HEALTH INSURANCE

The purpose of this item was to present the staff's recommendation for health insurance coverage for the 2002-2003 fiscal year. The staff requested that the Mayor and Board of Aldermen offer WellPath Community Health Plans as a total replacement health insurance carrier. Staff further recommended that the Town continue to contribute 50% toward the cost of dependent health care.

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

A RESOLUTION ACCEPTING STAFF'S RECOMMENDATION
FOR HEALTH INSURANCE COVERAGE
FOR FISCAL YEAR 2002-03
Resolution No. 156/2001-02

BE IT RESOLVED that the Town of Carrboro Board of Aldermen accepts staff's recommendation for health insurance, which is to offer WellPath Community Health Plans as a total replacement rather than a dual option. In addition, that the Town continues to contribute 50% toward the cost of dependent health care.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of May, 2002:

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

Noes: None

Absent or Excused: None

AWARD OF CONTRACT FOR AUDIT FIRM

The purpose of this agenda item was to award the contract for the Town's annual audit for the year ending June 30, 2002.

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

A RESOLUTION AWARDING THE CONTRACT FOR THE FY 2001-02 AUDIT
Resolution No. 150/2001-02

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. That the contract for the FY 2001-02 audit be awarded to Dixon, Odom and Company for a total cost of \$23,100.

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 28th day of May, 2002:

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

Noes: None

Absent or Excused: None

CLEAN WATER MANAGEMENT TRUST FUND GRANT APPLICATION: ACQUISITION OF ADAMS PROPERTY

In December 2001, the Board of Aldermen established the Adams Property Preservation Committee to explore ways to preserve the Adams tract. The Committee has requested that staff prepare a grant proposal for Clean Water Management Trust funds to purchase the property. The Administration recommended that the Board of Aldermen adopt a resolution that authorizes the Town Manager to submit the application that has been prepared.

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

A RESOLUTION AUTHORIZING TOWN STAFF TO APPLY FOR
THE CLEAN WATER MANAGEMENT TRUST FUND 2002 GRANT
Resolution No. 157/2001-02

WHEREAS, the Carrboro Board of Aldermen is committed to the protection of water quality and the preservation of special natural and cultural areas; and

WHEREAS, the Board of Aldermen established the Adams Property Preservation Committee; and

WHEREAS, the Adams Property Preservation Committee has recommended that the Town of Carrboro request funds from the Clean Water Management Trust Fund for the acquisition of the Adams Property.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen direct staff to submit a proposal to the Clean Water Management Trust Fund.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of May, 2002:

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

Noes: None

Absent or Excused: None

A REQUEST TO MAKE AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION

The Chair of the Recreation and Parks Commission recommended that Gordon Cook be appointed to one of the vacant seats on the Recreation and Parks Commission. It was recommended that the Board consider adopting a resolution making this appointment.

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

A RESOLUTION MAKING AN APPOINTMENT
TO THE RECREATION AND PARKS COMMISSION
Resolution No. 158/2001-02

WHEREAS, there are four vacant seats on the Recreation and Parks Commission; and

WHEREAS, Mr. Gordon Cook has applied for a seat; and

WHEREAS, Mr. Cook's application was reviewed by the Chair of the Recreation and Parks Commission is recommending Mr. Cook'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 Gordon Cook to a seat on the Recreation and Parks Commission. Mr. Cook'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 28th day of May, 2002:

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

Noes: None

Absent or Excused: None

PRESENTATION OF THE 2002-03 HUMAN SERVICES BUDGET RECOMMENDATIONS

The purpose of this item was to present to the Board of Aldermen the recommendations from the Human Services Commission for funding requests from the nonprofit agencies providing services to Carrboro citizens.

Lillie Atwater, Chair of the Human Services Commission, presented the report.

Alderman Dorosin requested that the town staff provide information on why the Human Services Commission had recommended funding for Orange Community and Schools, Inc. when no direct service was given to the Town of Carrboro.

CONTINUATION OF THE PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT RELATING TO VILLAGE MIXED-USE AND OFFICE/ASSEMBLY DEVELOPMENTS

The Board of Aldermen held a public hearing on May 7, 2002 to receive comments on proposed changes to the Land Use Ordinance related to Village Mixed-Use and Office/Assembly developments. The Board continued this public hearing until May 28, 2002 in order to allow the Planning Board to complete its review of the proposed amendment. The Administration recommended that the Board of Aldermen adopt the proposed ordinance, with noted modifications.

Bob Chapman thanked the Board and advisory boards for the time spent on these proposed amendments. He said that many positive ideas were obtained from the Planning Board.

James Carnahan spoke in favor of the proposed ordinance. He said that giving the Board greater discretion in reviewing a VMU proposal is that this increased flexibility will allow the Board to respond more effectively to the details of a particular proposal. The retail inclusion in office assembly will allow a greater variety of destinations within walking distance of residents. Urged the Board to adopt the option not to count accessory units at all in determining density. Impervious surface allocations should only be increased when we can be certain that proposed retention and management practices will continue to be effective over time. The proposed architectural and landscape design guideline changes would allow greater flexibility and thus the possibility of greater variety. In addition, he supports reducing parking minimums and encouraging shared parking.

Nancy Salmon, a resident of the northern transition area, had questions about the impervious surface percentage and expressed concern about runoff if impervious surface is increased. She asked that the impervious surface provisions should not be changed. She also suggested that the accessory dwelling provision not be adopted.

Brian Boyce, a resident of the northern transition area, asked if the proposed amendment was sent to Orange County. Mr. Boyce asked that the Board delay action on this matter until the residents of the northern transition area can have a public hearing on this matter with the Orange County Board of Commissioners. Mr. Boyce noted the Appearance Commission's statement that agreeing to consider changes to the land use ordinance at the request of one developer is not a good idea.

Chris Potter, a resident of northern transition area, stated that the Winmore development is the first project to come under the provisions of the Small Area Plan and the suggestions made by the developer for changes are reasonable changes.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA TO APPROVE SECTIONS 2, 3 AND 4 OF THE ORDINANCE. VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE (ZAFFRON, BROUN, NELSON, MCDUFFEE, GIST)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO APPROVE ALTERNATIVE #1 OF SECTION 7. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO NOT APPROVE SECTION 10. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MCDUFFEE, DOROSIN, HERRERA)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO APPROVE THE FOLLOWING LANGUAGE FOR SECTION 12: "MATERIALS IN THE EXTERIOR OF BUILDINGS SURROUNDING THE GREENS SHALL BE LIMITED TO A DIVERSITY OF BRICK. WOOD, STUCCO, MASONRY, AND OTHER SIDING MATERIALS ARE SUBJECT TO THE REVIEW OF THE APPEARANCE COMMISSION AND THE PERMIT-ISSUING AUTHORITY." VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY ALEX ZAFFRON THAT SECTION 14 BE AMENDED TO READ: "THE TOTAL IMPERVIOUS COVERAGE SHALL BE 50 PERCENT FOR ALL OF THE LOTS IN THIS USE AREA. ALLOCATION TO EACH LOT SHALL BE INDICATED ON THE CONDITIONAL USE PERMIT PLANS AND MUST BE FINALIZED AT THE TIME A FINAL PLAT IS RECORDED. FOR MULTI-PHASE PROJECTS, THE FINAL ALLOCATION SHALL BE BY PHASE. NO FURTHER REALLOCATION OF IMPERVIOUS SURFACE COVERAGE FOR LOTS IN THIS USE AREA SHALL BE ALLOWED AFTER THE FINAL PLAT HAS BEEN RECORDED." AFFIRMATIVE ALL

The Board agreed to approve Sections 1, 5, 6, 8, 9, 11, 13, 15,16, 17, 18, 19, 20, 21, 22, 23 as recommended by the town staff.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE PROVISIONS RELATING TO VILLAGE MIXED-USE AND OFFICE/ASSEMBLY DEVELOPMENTS, SUBJECT TO THE ABOVE REVISIONS." VOTE: AFFIRMATIVE ALL

REPORT ON THE ISSUANCE OF A ZONING PERMIT AT 309 WEST WEAVER STREET

On Tuesday, May 14, 2002, Mr. Ron Hyatt spoke to the Board of Aldermen about a recently issued permit for a project at 309 West Weaver Street. Pursuant to Mr. Hyatt’s request, the Board asked the Planning Department to create a report summarizing the issuance of the permit in question. A report was presented.

TRAFFIC OPERATIONS STUDY AT FRANK PORTER GRAHAM ELEMENTARY SCHOOL

In response to citizen concerns, the N.C. Department of Transportation has recommended strategies for improving pedestrian access and safety and providing additional parking near the Frank Porter Graham site on Smith Level Road. The report recommends that the town bring together interested parties to discuss the recommendations. A resolution that accepts the report was recommended for the Board’s adoption.

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

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

A RESOLUTION RECEIVING THE NCDOT TRAFFIC OPERATIONS STUDY AT
FRANK PORTER GRAHAM ELEMENTARY SCHOOL
Resolution No. 154/2001-02

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review strategies for improving pedestrian safety and access.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen have reviewed the report prepared by the N.C. Department of Transportation recommending strategies for improving pedestrian access and safety near the Frank Porter Graham site on Smith Level Road.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Aldermen recommend that Town staff bring together interested parties to discuss the report recommendations.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of May, 2002:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO REQUEST THAT THE TOWN STAFF PROVIDE A REPORT ON THE FEASIBILITY OF ADDING SIDEWALKS AND GREENWAY EXTENSION TO PROJECT U-2803. VOTE: AFFIRMATIVE ALL

A REPORT ON THE STATUS OF SOLID WASTE MANAGEMENT AND RECYCLING IN CARRBORO

The Board instructed staff to prepare a report analyzing Carrboro's recycling program and to evaluate the need to produce a scope of services for consultant study to look at Carrboro's specific situation and make recommendations about what could be done to meet Orange County goals.

Phil Prete, the town's Environmental Planner, made the presentation.

The Board requested that applicants for the Environmental Advisory Board who were not selected be asked to consider serving on the Orange County Solid Waste Advisory Committee. In addition, the Board requested that tonight's report be forwarded to the Environmental Advisory Board as information.

Alderman McDuffee requested that copies of the Power Point presentation made at tonight's meeting be given to the Board of Aldermen.

BUDGET WORKSESSION

The Board cancelled its May 30th budget worksession.

THE CEDARS AT BOLIN FOREST SUBDIVISION

Alderman Dorosin expressed concern about the privatization of walkways and recreation facilities located in neighborhoods.

Mayor Nelson requested that a Board discussion of recreation in-lieu of be held.

The Board requested that the town staff review the videotape of the public hearing for The Cedars at Bolin Forest Subdivision concerning the pathway.

REBROADCAST OF BOARD MEETINGS

Alderman Herrera requested that the town staff check into the possibility of having the meetings of the Board of Aldermen rebroadcast.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION TO DISCUSS ACQUISITION OF PROPERTY. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK DOROSIN TO ADJOURN THE MEETING AT 10:45 P.M. VOTE: AFFIRMATIVE ALL
