

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 4, 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  |
| Deputy Town Clerk | Richard White     |
| Town Attorney     | Michael B. Brough |

### **SELF-DETERMINATION RESOLUTION**

Ellen Perry, a Carrboro resident, requested that the Board endorse a self-determination resolution drafted by some 20 organizations in a statewide coalition. She will bring the final version back to the Board.

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### **AFFORDABLE HOUSING IN WINMORE**

Robert Dowling, Executive Director of Orange Community Housing and Land Trust, stated that his board is requesting affordable housing be available in Winmore.

Alderman Zaffron suggested that 15 percent be set as a minimum. He requested that staff contact the applicant to learn more about what is proposed and let the Board and Orange Community Housing and Land Trust know.

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### **PATHWAY AT THE CEDARS**

Bob Ross, president of Bolin Forest Phase 1 Homeowners Association, spoke about the construction of a pathway and requested Board review of the 1997 minutes and proceed accordingly.

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### **VISITOR FROM JUVENTINO de ROSAS**

Aldermen Herrera introduced Father Gabriel, Treasurer of the main church in Juventino de Rosas, and a Carrboro resident who represents North Carolina workers. Aldermen Herrera translated the greetings. Father Gabriel spoke in support of the sisterhood relationship with St. Thomas More and the Parroquia of Juventino de Rosas. He stated that he is aware of the sister city relationship developing between Carrboro and Juventino de Rosas. This provides support for workers and their families living in Carrboro.

Mayor Nelson welcomed the guests and expressed the town's deep interest in establishing this relationship. He presented gifts from Carrboro.

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## **LEGISLATION TO SECURE LOCAL REVENUES**

Alderman Zaffron briefed the Board on legislation to secure local revenues.

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## **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE MAY 28, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

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## **TOWN CODE AMENDMENT: STOP SIGNS AT THE WYNDHAM DRIVE/TRAMORE DRIVE INTERSECTION**

A petition to install two additional stop signs at the Wyndham Drive/Tramore Drive intersection was submitted to the town and evaluated by staff as provided in the Town's Residential Traffic Management Plan. The petition was reviewed by the Transportation Advisory Board on May 16, 2002. On May 21, 2002, the Board of Aldermen reviewed this item and instructed staff to install two additional stop signs at the intersection of Wyndham Drive and Tramore Drive

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE TO INSTITUTE A FOUR-WAY STOP AT THE INTERSECTION OF TRAMORE DRIVE AND WYNDHAM DIRVE." VOTE: AFFIRMATIVE ALL

Alderman Gist reiterated her request that staff contact the construction company working in the area to discuss speeding construction traffic.

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## **RESOLUTIONS, PROCLAMATIONS, AND CHARGES**

A charge was issued to Peter Lee, a recent appointee to the Downtown Development Commission.

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## **PUBLIC HEARING/PROPOSAL FOR A USER FEE FOR THE COLLECTION OF COMMERCIAL AND MULTI-FAMILY DUMPSTERS**

The Board of Aldermen, at their regular board meeting of April 23, 2002, received a report analyzing the cost of providing dumpster collection services and the creation and implementation of a fee to recover the costs of providing such services and established a public hearing on June 4, 2002 to receive public comment. The purpose of tonight's meeting was to hear residents' feedback on the feasibility of charging for dumpster collection services.

Robert Andrew Smith, a resident of 1104 N. Greensboro Street, spoke in opposition to the proposed fee. He suggested pay-as-you-throw as an alternative.

Randall Bryant, with Drucker and Faulk Realty, stated that Chambers Ridge is concerned about the fee. He stated that it is difficult to keep rates down when other fees are going up. The increase will be passed on to renters. He is willing to help work through this effort.

Bob Kirschner, with Canterbury Townhomes, stated that this fee is in addition to a proposed tax increase. He said that the Town encouraged businesses to use dumpsters rather than rollout containers, now they are being penalized along with residents who own their unit. He stated that Canterbury is proactive by having its own waste management program and already saves the Town money by paying for yard waste and cardboard disposal and having no snow removal. Others are dumping waste at Canterbury for which Canterbury pays. The Town should give a credit or spread the costs across the board. He suggested using OWASA's billing system rather than purchasing software. He asked that staff look at ways to reduce expenditures before raising fees. He added that once a week pick up would be a hardship.

Dan Vogel, with Chateau Apartments, asked the Board to consider that apartments are homes. The fee increase will be passed on to renters. He would prefer once a week pick up. He suggested that the Town treat trash as a utility and spread the cost across the board.

Camden Cooke, with Old Poplar Village Homeowners Association, opposes the fee and separating classes of homeowners. She would support an across-the-board fee.

Peter Hyman, an Old Poplar Village resident, opposes the fee, which he said is discriminatory.

Robert Joyner, a Carrboro resident, requested that the Board vote against the fee increase because it would affect affordable housing.

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

Alderman McDuffee suggested that collection remain a service of the Town that is funded by taxes, but establish a cost for disposal and determine what share property owners and commercial businesses will pay. The Board would reduce the tax rate by the amount received from fees. This plan would start simple and evolve over time.

Alderman Dorosin suggested that the Town go with once a week rollout service and encourage residents not to place half-empty containers at the curb.

Alderman Gist would like to know the average cost per type of housing, i.e., five-bedroom house to develop a sliding scale.

Alderman Zaffron opposes a flat fee for all.

Mayor Nelson and Alderman McDuffee will develop her proposal. The Board will discuss the proposal next week.

Alderman Broun requested data on cost allocation broken out by multi and single-family categories.

Alderman McDuffee would like to have collection costs and disposal costs

Mayor Nelson requested the total number of Carrboro households broken out by multi and single-family categories.

Alderman Herrera suggested that container size might encourage more waste.

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## **ENHANCEMENT PROGRAM APPLICATIONS**

The North Carolina Department of Transportation is accepting applications for transportation enhancement projects. Town staff has conducted an evaluation of current needs and proposed that applications for three projects be submitted to NCDOT. A resolution authorizing the Town Manager to submit Transportation Enhancement Program applications for three projects was presented.

Dale McKeel, the town's Transportation Planner, 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 MANGER TO SUBMIT TRANSPORTATION  
ENHANCEMENT PROGRAM APPLICATIONS  
Resolution No. 164/2001-02

WHEREAS, the North Carolina Department of Transportation is accepting applications for funding of transportation enhancement projects; and

WHEREAS, the Town has reviewed potential projects to be funded with enhancement program funds:

NOW THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Carrboro that the Town Manager be authorized to submit transportation enhancement program applications for the following projects:

1. Sidewalk construction along Brewer Lane, Wesley Street, and Hargraves Street
2. Sidewalk construction along Jones Ferry Road
3. Bicycle and pedestrian path connecting Bel Arbor Drive and Simpson Street.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 5th day of June, 2002:

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

Noes: None

Absent or Excused: None

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## **REPORT:" FAST TRACK" DOWNTOWN VISIONING ITEMS**

The Board of Aldermen held a worksession on April 2, 2002 to review the report on the Downtown Visioning charrette. The Board of Aldermen identified a series of actions in follow-up, with three designated as "fast track" items. A report on the fast-track items is provided. The Administration recommended that the Board of Aldermen adopt a resolution setting a public hearing on text amendments related to building heights, active recreational facilities, and sidewalk widths for August 20, 2002.

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

Alderman Broun would like to see some flexibility that takes topography into account.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman John Herrera.

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT  
RELATING TO BULDING HEIGHTS, ACTIVE RECREATIONAL FACILITIES AND SIDEWALK  
WIDTHS IN DOWNTOWN ZONING DISTRICTS  
Resolution No. 167/2001-02

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 call a public hearing “An Ordinance Amending the Carrboro Land Use Ordinance Relating to Building Heights, Active Recreational Facilities Requirements, and Sidewalk Width Requirements in Downtown Commercial Zoning Districts” for August 20, 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 Transportation Advisory Board 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 5th day of June, 2002:

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

Noes: Jacquelyn Gist

Absent or Excused: None

The Board requested that the Section 1, subsection (a) (3) a. of the draft ordinance be amended to read: “The maximum building height may be increased by one story, up to a maximum height of five stories, for every ten feet that the additional story is set back from the street right-of-way beyond the setback specified in Section 15-184; and”

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**A RESOLUTION CALLING A PUBLIC HEARING ON THE USE OF LEASE PURCHASE  
FINANCING TO PURCHASE PROPERTY FOR A FUTURE PUBLIC WORKS FACILITY**

The Town’s Capital Improvement Plan identifies the need for a new Public Works facility to meet the Town’s current and future service delivery needs. The Town has been apprised of an opportunity to purchase land for a future public works facility. This purchase will require the Town to pursue debt financing and thus will require a number of steps to obtain financing. The initial step is a resolution authorizing staff to proceed with requests for proposals to finance the property purchase and to set a public hearing to receive public comment on financing the property as required by law.

The following resolution was introduced by Alderman John Herrera and duly seconded by Alderman Joal Broun.

A RESOLUTION CALLING A PUBLIC HEARING ON THE USE OF LEASE PURCHASE  
FINANCING TO PURCHASE PROPERTY ON OLD HIGHWAY 86  
FOR A FUTURE PUBLIC WORKS FACILITY  
Resolution No. 160/2001-02

**WHEREAS**, the Carrboro Board of Aldermen agrees to use installment debt financing to purchase 23 acres on Old Highway 86 for a future public works facility; and

**WHEREAS**, a public hearing is required by NC General Statutes to receive community comment prior to using installment debt financing for purchase of real estate.

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

1. Authorize the Town Manager to proceed with request for proposals from banks for financing the property purchase; and to serve as the Town's authorized representative; and,
2. Set a public hearing for June 25, 2002 to receive public comment on the financing of the property and to consider award of the financing to the bank that is the lowest responsible bidder.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 5th day of June, 2002:

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

Noes: None

Absent or Excused: None

Mr. Morgan suggested that within the next year, the Town should re-establish the buffer around the property.

Mayor Nelson stated that Rickie White, a member of the town's Environmental Advisory Board, could assist with this reforestation effort.

Alderman Broun suggested that staff consult with Duke University and North Carolina State University for ideas on reforestation.

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### **CEMETERY PERPETUAL CARE FUND**

Mike Brough presented a draft of a bill which would be submitted to the General Assembly for consideration that would abolish the town's cemetery perpetual care fund and appropriate funds contained in that fund for the purpose of maintaining the town's cemeteries.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY DIANA MCDUFFEE TO AUTHORIZE THE TOWN ATTORNEY TO SUBMIT THE BILL TO THE GENERAL ASSEMBLY.  
VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BROUN)

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### **REQUEST FOR REPORT ON DROUGHT**

Aldermen Gist requested a report on the drought condition and what plans are in place.

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**TRANSIT MOU**

Alderman McDuffee stated that the transit MOU draft should be available this month. She requested regular updates from Chapel Hill on ridership, service changes, and other issues. Mayor Nelson will send a letter to Mayor Foy.

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**PATHWAY AT THE CEDARS**

Alderman McDuffee requested that staff review the tapes of previous Board discussions of the issue.

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**SOUTH GREENSBORO STREET PROTECTION**

Alderman Broun requested that staff determine if there is sufficient protection for the road from silt runoff.

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**ORANGE COUNTY HUMAN RELATIONS COMMISSION**

Alderman Dorosin requested that the two vacant Carrboro positions on the Commission be advertised.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO  
ADJOURN THE MEETING AT 10:02 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Deputy Town Clerk