

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 18, 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
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Robert Hornik for Michael Brough

Absent:

Alderman	Diana McDuffee
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LA FAMILIAS DEL PUEBLO ROAD RACE

Winkie LaForce and Hector Herrera invited the Board to participate in the La Familias del Pueblo scheduled for Sunday, September 7th.

BOLIN CREEK CO-HOUSING PROJECT

Paul Piersma asked that the conditional use permit process be expedited for the Bolin Creek Co-Housing project due to the fact that they are proposing affordable housing.

The Board took no action on this request, but asked that the town staff include OWASA in discussions of this project to speed up the development review process.

N.C. PLENTY

Anissa and Tim Clark, representing N.C. Plenty, Inc., asked for the Board's support of their efforts in regard to a local currency program. They are currently accepting memberships. Their website address is: www.ncplenty.org.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE JUNE 11, 2002 MINUTES, WITH A CORRECTION TO PAGE 9. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

AWARD OF BID/STREET RESURFACING PROJECT

The purpose of this agenda item was to award a contract for street resurfacing to Central Paving Company of Mebane, NC in the amount of \$53,465.85, add Bolin Forest Drive, and budget for contingencies for a total of \$78,000 for the planned FY2001-2002 street resurfacing contract. In addition, the Board was requested to authorize the administration to proceed with necessary site work.

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

A RESOLUTION AWARDED A CONTRACT FOR STREET RESURFACING Resolution No. 171/2001-02

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. To award the street resurfacing contract to Central Paving Company in the amount of \$53,465.85 and add Bolin Forest Drive to the 2001-2002 street resurfacing contract in the amount of \$14,600, for a Street Resurfacing contract total of \$68,065.85. Budgeted funds in excess of this contract may be used to extend the contract to include other small resurfacing projects.

Section 2. To authorize the town administration to proceed with necessary site work.

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 18th day of June, 2002:

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

Noes: None

Absent or Excused: Diana McDuffee

REQUEST TO SET A PUBLIC HEARING FOR THE MCFALL WATERSHED RESIDENTIAL MAJOR SUBDIVISION CONDITIONAL USE PERMIT

Mr. Sammy Martin, representing property owner Walter T. McFall, has submitted an application for a Conditional Use Permit (CUP) to allow a major subdivision of property (Use 26.100) to create three lots from a 17.491 acre tract located at 130 Lavinia Lane. The property is accessed from an existing private drive (Lavinia Lane) located off of Highway 54. 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 set a public hearing for August 20, 2002 for consideration of the conditional use permit request.

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

A RESOLUTION CALLING A PUBLIC HEARING ON THE WALTER T. MCFALL WATERSHED RESIDENTIAL MAJOR SUBDIVISION CONDITIONAL USE PERMIT REQUEST Resolution No. 174/2001-02

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed conditional use permit projects; and

WHEREAS, an application has been received for a conditional use permit for the Walter T. McFall Watershed Residential Major Subdivision project located at 130 Lavinia Lane.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on August 20, 2002 to consider the conditional use permit request for the Walter T. McFall Watershed Residential Major Subdivision project.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of June, 2002:

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

Noes: None

Absent or Excused: Diana McDuffee

Alderman Broun requested that this agenda item be made available to the Board one week in advance of the meeting.

REQUEST TO SET A PUBLIC HEARING/STREET CLOSING FOR LA FAMILIAS DEL PUEBLO ROAD RACE

El Pueblo, Inc. has submitted a street closing permit application for the temporary closing of several town streets from 8:00 a.m. to 9:15 a.m. on Saturday, September 7th to accommodate the La Familias del Pueblo Road Race.

In accordance with Section 7-19 of the Town Code, a public hearing must be held to receive public input prior to issuing a Street Closing Permit. The administration requested that a public hearing be scheduled for August 20, 2002.

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

A RESOLUTION SETTING A PUBLIC HEARING TO RECEIVE PUBLIC INPUT
ON THE STREET CLOSING REQUEST SUBMITTED BY
LA FAMILIAS DEL PUEBLO ROAD RACE
Resolution No. 176/2001-02

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that August 20, 2002 at 7:30 pm is hereby set as the date for a public hearing on the request that the streets listed be closed from 8:00 a.m. to 9:15 a.m. to accommodate the La Familias del Pueblo Road Race.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of June, 2002:

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

Noes: None

DROUGHT

Alderman Gist requested that citizens visit the OWASA website to review ways to conserve water. In addition, she asked that the Board discuss ways to amend the land use ordinance to discourage large grassy areas.

PUBLIC HEARING/ROLL OUT TRASH CONTAINER COLLECTION AND YARD WASTE SERVICE FEES

At their regularly scheduled meeting on June 11, 2002, and subsequent to a June 4, 2002 public hearing to receive public comment on a proposal for implementing dumpster service fees, the Board of Aldermen discussed implementation of fees for roll out container and yard waste service. The Board established a public hearing on June 18 to receive public comment on rollout and yard waste service fees. The purpose of tonight's meeting was to hear residents' feedback on the feasibility of charging for these services.

Devin Clark, 105 Kay Street, spoke against the proposed fee as he feels he is already paying taxes to cover trash collection.

Robert Kirschner, representing Canterbury Townhomes, asked that the Board re-address the fee system, expressed concern about the billing system being proposed, stated that if the town approves only the dumpster collection, it will make the same mistake that other towns have made. He said that lumping together and charging at the same rate for shared interest communities with commercial business is not equitable.

Raymond Pendergrass, Hillsborough Road resident, stated that he feels the added fee for roll out carts will be a burden on senior citizens. The town should make cut backs rather than raising fees or taxes.

Richard Ellington, 109 Bruton Drive, expressed concern about the town charging residents for a basic service provided by towns. The town has three responsibilities: fire, police and public works, all other departments are "fluff." Mr. Ellington encouraged the Board to go to the legislature rather than charging residents additional fees. He said that a pay-as-you-throw program should be initiated. There would be no incentive to recycle if a fee for collection is initiated.

Barbara McCough, Cobblestone Place, stated that pay-as-you-throw would hurt families with young children—those family who more than likely can afford it less. She stated that this would encourage illegal dumping.

Laurie McClure, 1104 N. Greensboro Street, stated that renters generate less trash than single-family residences. She encouraged fees for everyone if a fee is approved.

Eleanor Kinnaird, 207 W. Poplar Street and speaking on behalf of Shirley Marshall, requested once a week dumpster collection as an alternative to charging for pickup. She encouraged the Board to adopt pay-as-you-throw.

Aaron Nelson, representing the Chamber of Commerce, stated that if the commercial dumpster fee is approved, business owners will have a large increase in fees. This fee would be very inequitable for businesses.

Robert Smith, 1104 N. Greensboro Street, encouraged the pay-as-you-throw program. The town could look at another system using bags. He stated that families with young children should use diaper services to reduce solid waste. He said the town should look at how more recycling can be done and reduce costs to citizens. He also presented information entitled, "Finding Resource Efficiency in Solid Waste Contracts."

The Board delayed its discussion of this matter until June 25th.

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT: AUTO SALES IN B-1(G)

John Sale has submitted a request on behalf of the Merritt Mill Center Associates to amend the Land Use Ordinance to allow auto sales in the B-1(g) zoning district. A draft ordinance has been prepared. The Board of Aldermen must receive public comment on this ordinance before making a decision on the requested change. The Administration recommended that the Board of Aldermen adopt the draft ordinance.

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

Eleanor Kinnaird, 207 West Poplar Street, stated that years ago she and her neighbors had fought auto sales in residential zones because of the lights, noise and appearance. Ms. Kinnaird stated that this is a very incompatible use in residential zones. She urged the Board to reject this amendment.

John Sale stated that his business enhances Franklin Street where it is currently located, and that his business closes at 6:00 p.m. There would be no need for large amounts of lights.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO REQUEST THAT THE TOWN STAFF REDRAFT THE PROPOSED ORDINANCE SO THAT AUTO SALES WOULD BE AN ANNEX OF NEARBY EXISTING ESTABLISHED AUTO SALES BUSINESSES. VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (Nelson, Broun, Dorosin), ABSENT ONE (McDuffee)

The Board requested that this matter be placed on the June 25th agenda.

REVOLVING LOAN FUND REQUEST: PLACESMEDIA, INC.

The purpose of this item was to present to the Board of Aldermen the PlacesMedia, Inc. loan application and the Downtown Development Commission's (the town's loan review board) recommendation for approval. The loan amount is \$50,000.

James Harris, the town's Community and Economic Development Director, made the presentation.

Mayor Nelson requested that applicants be present when future requests for revolving loans are considered by the Board.

The Board requested that the town be added as a pledge to their accounts receivables insurance.

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

A RESOLUTION APPROVING A REVOLVING LOAN
FOR PLACESMEDIA, INC.
Resolution No. 173/2001-02

WHEREAS, Paul Jacobs and Lindsay Bentz have applied for a loan from the Town of Carrboro's Revolving Loan Fund in the amount of \$50,000 at 6% interest for 3 years to expand their business at 304 Weaver Street Carrboro North Carolina; and

WHEREAS, the applicants have met the criteria for the loan by being located in the Town of Carrboro, creating at least one (1) job per \$10,000 borrowed, having contributed more than a dollar-for-dollar match for the money requested from the Town, and documenting a clear ability to repay the loan based upon documents submitted; and

WHEREAS, the applicants have all applicable permits from the Carrboro Zoning Office and the Secretary of State; and

WHEREAS, the loan package has been reviewed and recommended for approval by both the Small Business Technology Development Center (loan packager) and the Downtown Development Commission (loan board).

NOW THEREFORE THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES:

Section 1. The applicants have met the requirements for the loan under the RLF Program and have met all requirements to receive the necessary permits from the Zoning Division to operate the business in the Town of Carrboro.

Section 2. The Manager is authorized to have the Town Attorney's office prepare all necessary documents and issue a loan in the amount of \$50,000 at an interest rate of 6% for a term of three (3) years. The collateral for the loan will be the accounts receivables, the applicant's personal signatures, a life insurance policy on both principals, and all equipment purchased with the loan proceeds.

Section 3. That loan repayment shall begin six (6) months from the date of the signing of the documents.

Section 4. That the Town be listed as a pledge on their insurance.

Section 5. 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 18th day of June, 2002:

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

Noes: None

Absent or Excused: Diana McDuffee

PRESENTATION OF A BROCHURE TO GUIDE PROPER CARE AND MAINTENANCE OF OPEN SPACE

The Environmental Advisory Board, in their role of researching and providing guidance on matters that relate to environmental quality, with Planning Department Staff review and assistance, has prepared a brochure that is intended to guide homeowners and residents in Carrboro on the proper use and maintenance of open space associated with residential developments. A resolution to receive the brochure, and to acknowledge and thank

the Environmental Advisory Board for their service to the community, was recommended for the Board's adoption.

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

A RESOLUTION RECEIVING THE OPEN SPACE GUIDE FOR
CARRBORO HOMEOWNERS AND RESIDENTS AND ACKNOWLEDGING
THE CONTRIBUTION BY THE ENVIRONMENTAL ADVISORY BOARD
Resolution No. 170/2001-2002

WHEREAS, the Carrboro Board of Aldermen has found that when land is developed for residential purposes, the public health, safety, and welfare are best served when substantial portions of the tracts so developed remain as common open space, and

WHEREAS, the Environmental Advisory Board, assisted by Town staff, has prepared a guide to educate homeowners and residents of Carrboro on Open Space requirements and maintenance.

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

Section 1. The Carrboro Board of Aldermen has received the Open Space guide to be used for public information for homeowners and residents.

Section 2. The Mayor and the Board of Aldermen further do hereby acknowledge the contributions made by the Environmental Advisory Board through this initiative to enhance Open Space for Carrboro residents.

Section 3. 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 18th day of June, 2002:

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

Noes: None

Absent or Excused: Diana McDuffee

2002-03 BUDGET

Mr. Morgan reported that the town received \$28,969 in telecommunications franchise taxes. In accordance with the Board's request, these funds will be used to fund the public works employees' market adjustment.

WINMORE SUBDIVISION

Alderman Gist requested information on the impact of the negotiations between the developer of the Winmore Subdivision and the University of North Carolina to donate the land on which the affordable housing units will be located to UNC.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO
ADJOURN THE MEETING AT 9:45 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

Mayor

Town Clerk