

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 19, 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

### **PHOTO EXHIBIT ON THE PEOPLE AFGHANISTAN**

Ray Buchanan, with Stop Hunger Now, introduced his photo exhibit currently on display in Town Hall of the people of Afghanistan.

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### **FRIENDS OF THE CARRBORO LIBRARY**

Alderman McDuffee acknowledged that the Friends of the Carrboro Library had received the Frances B. Reed Award for its support of the Carrboro Library.

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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 NOVEMBER 12, 2002 MINUTES. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

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### **REQUEST TO ADOPT A BUDGET ORDINANCE**

A budget amendment is required to distribute dependent health insurance and service level benefits approved in the FY02-03 budget on July 1 and to appropriate funds from reserved fund balance set aside for projects, purchase orders, and contractual commitments that remained unperformed at the end of the year in FY01-02.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2002-03 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

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### **APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD**

The purpose of this item was for the Mayor and Board of Aldermen to consider appointing Bill Rehm to the Environmental Advisory Board.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE  
ENVIRONMENTAL ADVISORY BOARD  
Resolution No. 51/2002-03

WHEREAS, there is currently one vacant seat on the Environmental Advisory Board (EAB); and

WHEREAS, this position has been advertised and Bill Rehm has submitted an application; and

WHEREAS, the Chair of the EAB is recommending that Mr. Rehm be appointed to the vacant seat on the EAB.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen hereby appoints Bill Rehm to a seat on the Environmental Advisory Board. Mr. Rehm'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 19th day of November, 2002:

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

Noes: Jacquelyn Gist

Absent or Excused: None

Alderman McDuffee requested that all applications on hand be included when recommendations for appointments are made.

Alderman Dorosin volunteered to prepare a form for chairs to use when making recommendations for appointments.

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**FUNDING FOR A DOWNTOWN FEASIBILITY ANALYSIS/CONCEPTUAL DESIGN PLAN**

In April 2002, the Carrboro Board of Aldermen accepted the *Downtown Carrboro: New Vision* document, the report from the downtown visioning process conducted in September 2001. An analysis of downtown vehicular, bicycle, and pedestrian travel has been identified as a key step in determining how to implement the recommendations in the *Downtown Vision* document. The purpose of this agenda item was to identify possible resources for funding a feasibility analysis and conceptual design plan. A resolution has been prepared should the Board wish to move forward with funding requests.

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

A RESOLUTION REGARDING REQUESTS FOR FUNDING OF A  
DOWNTOWN FEASIBILITY ANALYSIS AND CONCEPTUAL DESIGN PLAN  
Resolution No. 53/2002-03

WHEREAS, a series of public workshops were held in September 2001 for Carrboro citizens to define a vision for the downtown core, culminating in the publication of the *Downtown Carrboro: New Vision* document; and

WHEREAS, *Downtown Carrboro: New Vision* includes recommendations for improving the walkability, safety, and function of the streets in downtown Carrboro and recommends that a downtown feasibility analysis and conceptual design plan be performed; and

WHEREAS, the [Transportation Equity Act for the 21st Century](#) (TEA-21) provides federal Surface Transportation Program-Direct Allocation (STP-DA) funds that are administered by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization and are available on a matching basis (at 80 percent federal / 20 percent local government match); and

WHEREAS, Town staff has determined that STP-DA funds and additional funds from the North Carolina Department of Transportation are possible funding sources for a downtown feasibility analysis and conceptual design plan recommended in Downtown Carrboro: New Vision.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen that the Town of Carrboro do the following:

1. Submit a request to the Durham-Chapel Hill-Carrboro Transportation Advisory Committee for \$40,000 in STP-DA funds for a downtown feasibility analysis and conceptual design plan and, if approved, that these funds be matched by \$10,000 from the Town of Carrboro.
2. Submit a request to the North Carolina Department of Transportation for \$25,000 to support the downtown feasibility analysis and conceptual design plan.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 19th day of November, 2002:

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

Noes: Jacquelyn Gist

Absent or Excused: None

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**PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT REGARDING NORTHERN TRANSITION AREA STREAM BUFFERS**

The Board of Aldermen must hold a hearing to receive public comment on a proposed amendment to the Land Use Ordinance that clarifies and expands the applicability of the Northern Transition Area Stream Buffers. The Administration recommended that the Board of Aldermen adopt the draft ordinance.

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

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

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO APPLY THE NORTHERN TRANSITION AREA BUFFER STANDARDS TO PROPERTIES WITHIN THAT AREA THAT ARE ANNEXED AFTER SEPTEMBER 1, 2002." VOTE: AFFIRMATIVE ALL

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### **DISCUSSION OF RECRUITMENT PROCESS FOR TOWN MANAGER**

The purpose of this item was for the Mayor and Board of Aldermen to discuss the recruitment process for the position of Town Manager.

Bob Crowder with the N.C. League of Municipalities presented a Discussion Paper for Selecting a Town Manager.

Mayor Nelson requested that the Personnel Director provide the names on search firms for the December 3<sup>rd</sup> Board meeting.

It was the consensus of the Board that each Board and department heads write a one-page essay of what is wanted in the manager. These essays should be forwarded to Alderman McDuffee who will prepare a summary for the Board's review.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY ALEX ZAFFRON TO CREATE A TOWN MANAGER SEARCH STEERING COMMITTEE CONSISTING OF MAYOR NELSON, ALDERMEN BROUN AND GIST, WITH ALDERMAN MCDUFFEE SERVING AS AN ALTERNATE MEMBER. THE PURPOSE OF THIS STEERING COMMITTEE WILL BE TO DEVELOP A TIMELINE FOR THE SELECTION OF A NEW TOWN MANAGER AND TO DEVELOP THE ADVERTISEMENT FOR THIS POSITION. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to discussion selection of an interim town manager at the December 3<sup>rd</sup> Board meeting.

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### **DISPOSITION OF THE GREENE TRACT**

The Inter-Local Greene Tract Work Group has recommended that the Board of Aldermen adopt a resolution approving a concept plan for the portion of the Greene Tract that remains in joint ownership. The purpose of this abstract was to present this resolution for the Board's consideration.

Mr. Miller, representing the Orange County Chapter of the Sierra Club, recommended that Carrboro support Chapel Hill's proposal for the Greene Tract to set aside the jointly owned property in a conservation easement and retaining 18 acres for affordable housing.

James Carnahan asked whether there had been sufficient public involvement in this process, why the Small Area Plan being proposed is taking place after decisions are made about the affordable housing site, whether the 18 acres are sufficient to face the towns' needs for affordable housing, who will determine the carrying capacity of the land, what environmental criteria were used for the affordable housing site, why are the boundaries of Orange County's portion drawn as they are, giving the County the best development site that is contiguous to transit corridors, and what basis would the town place significant parts of the property under permanent conservation easement..

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

A RESOLUTION APPROVING THE CONCEPT PLAN FOR THE PORTION OF THE  
GREENE TRACT THAT REMAINS IN JOINT OWNERSHIP

Resolution No. 52/2002-03

WHEREAS, Orange County and the Towns of Carrboro and Chapel Hill acquired the property known as the Greene Tract in 1984 as an asset of the joint solid waste management system; and

WHEREAS, title to 60 acres of this property was deeded exclusively to Orange County in 2000 under provisions of the 1999 inter-local "Agreement for Solid Waste Management"; and

WHEREAS, under the same inter-local agreement the County and Towns agreed to bargain in good faith during the two-year period following the effective date of the agreement to determine the ultimate use or disposition of the balance of the acreage on the Greene Tract; and

WHEREAS, the end date of the "bargaining period" as defined in the agreement was April 17, 2002, the second anniversary of the date upon which the County assumed overall responsibility for solid waste management in Orange County; and

WHEREAS, the Greene Tract Work Group considered direction from the respective governing boards, comments from interested citizens and organizations, and information developed by staff in response to Work Group inquiries in developing a recommended concept plan for the balance of the Greene Tract; and

WHEREAS, the Work Group reported to all three governing boards in a resolution dated March 21, 2002 that it had reached substantial agreement on a concept plan providing for approximately 78 acres to be earmarked for open space protected by conservation easements and approximately 15 acres to be earmarked for affordable housing but had not yet reached agreement regarding what designation should be placed on the remaining 11 acres; and

WHEREAS, the governing boards of all three jurisdictions approved resolutions extending the bargaining period beyond April 17, 2002 in order to allow the Greene Tract Work Group additional time to try to reach consensus on the basic uses to be established for the approximately 11 acres at that time unresolved; and

WHEREAS, the Work Group received a technical report from the County Engineer outlining the basic alternatives available and approximate costs for providing sewer service to a portion of the Greene Tract, which service would be necessary for the economical and practical provision of affordable housing; and

WHEREAS, the Work Group concluded by consensus that "the carrying capacity of the land" should be the determining factor in establishing how much of the unresolved 11 acres should be earmarked for specific purposes, and that the ridge line reflected on the accompanying concept map determines the portion (approximately one-third) of the 11 acres that can practically be used for affordable housing served by a sewer line that would access the Greene Tract via Purefoy Road:

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

Section 1. The Mayor and Board of Aldermen accept the accompanying map as the concept plan for that portion of the Greene Tract not deeded exclusively to Orange County, with the acreage to be set aside for open space protected by conservation easements approximating 85.90 acres and the acreage for affordable housing approximating 18.10 acres.

Section 2. The Mayor and Board of Aldermen agree that the acreage for affordable housing be placed in the Land Trust;

Section 3. The Mayor and Board of Aldermen direct the Town Manager to investigate options with the Managers of Orange County and Chapel Hill for reimbursement of the Solid Waste/Landfill Enterprise Fund for the portions of the site designated for affordable housing and open space; and

Section 4. The Mayor and Board of Aldermen agree that the triggering mechanism for reimbursement to the Solid Waste/Landfill Enterprise Fund should be formal action taken by all three boards to approve conservation easements protecting the designated open space, with such approvals taking effect no sooner than July 1, 2003, and no later than July 1, 2005.

Section 5. The following additional steps should be taken:

- The area shown on the concept plan as open space should be protected by executing a conservation easement between appropriate parties.
- The Board of County Commissioners should consider protecting its 60-acre portion of the Greene Tract by executing a conservation easement with an appropriate party.
- The Chapel Hill Town Council should consider initiating a small area planning process to examine desirable land uses for the Purefoy Road area.
- The property should be renamed in a manner that recognizes the significance of this area as the headwaters for three important streams (Bolin Creek, Old Field Creek, and Booker Creek).
- The governing boards should take note of the public investment already made in the general vicinity of the Greene Tract, as cataloged in an accompanying table.

Section 6. 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 19th day of November, 2002:

Ayes: Jacquelyn Gist, John Herrera, Diana McDuffee, Alex Zaffron

Noes: Joal Hall Broun, Mark Dorosin, Michael Nelson

Absent or Excused: None

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### **REQUEST TO SET A PUBLIC HEARING/BUREAU OF JUSTICE GRANT**

Mr. Morgan requested that the Board set a public hearing for Set a public hearing for December 3, 2002 on the 2002 Bureau of Justice block grant application.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO SET A PUBLIC HEARING FOR DECEMBER 3, 2002. VOTE: AFFIRMATIVE ALL

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### **PROPOSAL TO IDENTIFY A MAJOR ROAD IN HONOR OF DR. MARTIN LUTHER KING, JR.**

Alderman Herrera stated that he had received a grant proposal for the naming of a street in honor of Dr. Martin Luther King, Jr.

The Board requested that the town staff check into this matter.

Alderman Dorosin volunteered to attempt to have the street that he lives on changed in honor of Dr. King.

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**ADVISORY BOARD TRAINING**

Alderman McDuffee thanked the town staff for organizing and participating in the advisory board training session and suggested that this training take place each year following advisory board appointments.

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**MEETING WITH CHAIRS OF JOINT REVIEW ADVISORY BOARDS**

Alderman McDuffee requested that Mayor Nelson meet with the chairs of the Planning Board, Transportation Advisory Board and Environmental Advisory Board to suggest ways to streamline the joint review sessions to allow the individual advisory boards more time for deliberations on issues.

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**FUNDRAISER FOR JOHN BOONE**

Alderman Gist encouraged citizens to participate in the fundraiser for John Boone scheduled for Saturday, November 23<sup>rd</sup> from 5-8 p.m. at the American Legion Hut.

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**CONFERENCE ON BROWN FIELDS**

Alderman Zaffron reported that he and the Economic Development Director had recently attended the national Brownfield's conference in Charlotte. New funding is available for assessment and reclamation of brown fields in addition to economic. He suggested that the town staff identify potential sites to seek grant funding.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROWN TO  
ADJOURN THE MEETING AT 10:45 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk