

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 17, 2002 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Dorosin
	John Herrera
	Diana McDuffee
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Jacquelyn Gist
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CERTIFICATE OF APPRECIATION

Mayor Nelson presented a certificate of appreciation to Adam Searing for his service to the Town while serving on the Planning Board.

FRANCIS CHAN PROJECT

Giles Blunden requested approval of the building permit for the Francis Chan project on Rosemary and Merritt Mill Road. This request was made because of a change in the building code that will take effect on January 1, 2003, which will reduce the number of apartments allowed from 19 to 15 because of a new square footage requirement for efficiency apartments.

Roy Williford, the Town's Planning Director, stated that the building permit could be issued, but no construction could take place until the land use permit is approved.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO INSTRUCT THE TOWN STAFF TO ATTEMPT TO PROVIDE THE NECESSARY REVIEWS IF POSSIBLE. VOTE: AFFIRMATIVE TWO, NEGATIVE FOUR (BROUN, NELSON, MCDUFFEE, HERRERA) ABSENT ONE (GIST).

REQUEST TO SET A PUBLIC HEARING: PLAN FOR ROBERSON STREET IMPROVEMENTS

In response to the Downtown Carrboro: New Vision report, the Board of Aldermen has requested that town staff prepare a plan for Roberson Street improvements. Staff has prepared preliminary information for sidewalks and on-street parking on the portion of Roberson Street between Sweet Bay Lane and Greensboro Street. The Administration recommended that the Board of Aldermen set a public hearing for February 4, 2003 and refer this item to the Planning Board, the Downtown Development Commission, and the Transportation Advisory Board.

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

A RESOLUTION SETTING A PUBLIC HEARING ON A
PLAN FOR ROBERSON STREET IMPROVEMENTS
Resolution No. 69/2002-03

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

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen set a public hearing for February 4, 2003 on a "Plan for Roberson Street Improvements," and

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Aldermen refer the draft ordinance to the Planning Board, the Downtown Development Commission, and the Transportation Advisory Board

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 17th day of December, 2002:

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

Noes: None

Absent or Excused: Jacquelyn Gist

REQUEST TO ADOPT A BUDGET ORDINANCE REFLECTING CURRENT STATUS OF REVOLVING LOANS AND RESERVES

The purpose of this item was to formally approve a budget ordinance to amend the Revolving Loan Fund to reflect the current status of loans and reserves in the fund. The Revolving Loan Fund is used to encourage community development in Carrboro by offering loans to new businesses--encouraging businesses to locate in Carrboro. Annually, the fund is updated to reflect estimated annual interest and principal payments on loans from the various businesses. The budget ordinance reflects estimated revenues and expenditures through June 30, 2003.

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

A REQUEST TO ADOPT A RESOLUTION IN SUPPORT OF AN EARLY ACTION COMPACT BETWEEN THE STATE AND THE EPA TO IMPROVE AIR QUALITY

It is anticipated that the Triangle Metropolitan Service Area will be designated in 2004 as non-attainment for the eight-hour ozone standard. The North Carolina Division of Air Quality has entered into discussions with the Environmental Protection Agency and local governments within the region to enter into an Early Action Compact to begin developing strategies for attaining the air quality standards before the 2004 designation. The Town of Carrboro has been requested to adopt a resolution in support of this approach.

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

A RESOLUTION REFERRING THE EARLY ACTION COMPACT INFORMATION

TO THE ENVIRONMENTAL ADVISORY BOARD AND
THE TRANSPORTATION ADVISORY BOARD
Resolution No. 74/2002-03

WHEREAS, it is anticipated that the Triangle Metropolitan Service Area will be designated in 2004 as non-attainment for the eight-hour ozone standard, and

WHEREAS, the North Carolina Division of Air Quality (NCDAQ) has entered into discussions with the Environmental Protection Agency and local governments within the Triangle Metropolitan Service Area to enter into an Early Action Compact to begin developing strategies for attaining air quality standards before the 2004 designation, and

WHEREAS, the NCDAQ is requesting that all local governments in the MSA adopt a resolution to commit to cooperating in a State Implementation Plan to address violations of air quality standards.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen refer this matter to the Environmental Advisory Board and the Transportation Advisory Board for recommendations.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that this item be rescheduled pending completion of the advisory board review.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 17th day of December, 2002:

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

Noes: None

Absent or Excused: Jacquelyn Gist

A REQUEST TO ADOPT A BUDGET ORDINANCE: CARRBORO CENTURY CENTER

There were items that were not included in the construction budget for the Century Center due to cost constraints. Since the completion of the project, funds have been identified for these items. The purpose of this agenda item was to approve a budget ordinance amendment.

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

A REPORT ON TOWN ENGINEERING SERVICES

The purpose of this item was to report on the categories of engineering services provided by the town's engineer, Sungate Design Group.

Roy Williford, the Town's Planning Director, made the presentation.

Alderman McDuffee stated that concerns about fees should be discussed with the Planning Director.

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

A RESOLUTION ACCEPTING THE
12-10-02 ENGINEERING SERVICES REPORT
Resolution No. 68/2002-03

WHEREAS, the Sungate Design Group serves as the Town Engineer for the Town of Carrboro as provided for in a services agreement dated June 18, 1996;

WHEREAS, the Carrboro Board of Aldermen requested a report regarding the engineering services provided by the Sungate Design Group;

WHEREAS, a report was presented on 12-17-02.

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

Section 1. That the engineering services report presented on 12-17-02 is hereby accepted.

Section 2. That the town staff review the costs of inspections and propose modifications to those fees for the Board's consideration during budget discussions.

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 17th day of December, 2002:

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

Noes: None

Absent or Excused: Jacquelyn Gist

A REPORT ON REZONING TO ACHIEVE HOUSING DIVERSITY

The Board of Aldermen has requested recommendations for properties located in the town limits that could be rezoned for apartments, condominiums and townhouses, and recommendations on cottage zoning and performance zoning. A report has been prepared. A resolution adopting the staff recommendations was recommended for the Board's approval.

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

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO REMOVE AREAS A, B, C AND G FROM CONSIDERATION AND THAT STAFF DEVELOP A ZONING DISTRICT THAT WOULD REQUIRE DIVERSITY IN HOUSING TYPES TO INCLUDE CONDITIONAL USE ZONING AS A TECHNIQUE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

A REQUEST TO ADOPT AN ORDINANCE AMENDING THE TOWN CODE TO PROHIBIT LOITERING IN THE TOWN COMMONS, CENTURY CENTER, TOWN PARKING LOTS AND BUS SHELTERS

Police and Chapel Hill Transit personnel have noticed increased loitering at town bus stop shelters since the advent of fare-free bus service. Generally, persons loitering have no specific intention to ride the bus. Chapel Hill Transit personnel and citizens who legitimately use the bus shelters while waiting for the bus have asked Police Officers to remove loiterers from the bus shelters. Currently, we have no specific authority to prohibit loitering at town bus stop shelters. This proposed Ordinance amends the current Ordinance simply by adding the Century Center, Town Commons, town-owned or leased parking lots, and town bus stop shelters to the list of other Town of Carrboro property upon which loitering is prohibited (including the Town Hall, Police and Fire Stations, and Public Works building).

This matter was delayed until January.

PRESENTATION OF A LIMITED SCOPE TECHNOLOGY PLAN FOR THE TOWN OF CARRBORO

The purpose of this item was to formally deliver a limited scope technology plan to the Mayor and the Board of Aldermen.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO SCHEDULE A WORKSESSION TO DISCUSS THE TECHNOLOGY PLAN. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

APPOINTMENTS TO THE HORACE WILLIAMS ADVISORY COMMITTEE

The purpose of this item was to consider making appointments to the Horace Williams Advisory Committee.

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

A RESOLUTION APPOINTING CITIZEN REPRESENTATIVES
TO THE HORACE WILLIAMS ADVISORY COMMITTEE

Resolution No. 73/2002-03

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

Section 1. The following citizens are recommended for appointment to the Horace Williams Advisory Committee: Allen Spalt, Rich Bell.

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 17th day of December, 2002:

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

Noes: None

Absent or Excused: Jacquelyn Gist

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO APPOINT DAVE OTTO AS CARRBORO'S REPRESENTATIVE ON THE CHAPEL HILL HORACE WILLIAMS CITIZEN COMMITTEE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

BROWNFIELDS ASSESSMENT GRANT PROPOSAL

Mr. Morgan informed the Board that in order to meet a December 16th deadline, he had submitted the first part of a grant proposal to EPA to receive grant funding from the current Brownfields grant cycle. The town staff has identified the Butler's Garage site as a potential Brownfields redevelopment site. If successful in the first review, the Town will be invited to submit a final proposal, at which time this matter would be brought before the Board of Aldermen to set a public hearing.

FLAT AMOUNT PAY INCREASE FOR TOWN EMPLOYEES

Desiree White, the Town's Personnel Director, made a presentation and answered the Board's questions.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOAL HALL BROUN TO APPROVE A FLAT AMOUNT PAY INCREASE TO BE ADDED TO THE BASE SALARIES OF TOWN EMPLOYEES; THAT A REPORT BE PREPARED BY TOWN STAFF SUMMARIZING THE RESULTS OF THIS PAY INCREASE; AND THAT THE BOARD OF ALDERMEN DISCUSS THE CONTINUED USE OF A PAY GRID AT THE JANUARY RETREAT. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

HILLSBOROUGH ROAD REDEVELOPMENT PROJECT

Alderman Broun stated that there is a house being removed on Hillsborough Road with plans to reconstruct several units on the property. She asked for a short report analyzing how this situation compares to the Pine Street situation.

REPORT FROM THE RETREAT PLANNING COMMITTEE

Alderman McDuffee gave a report from the Retreat Planning Committee.

The Board agreed to not adding any new projects for the next six months and to prioritizing pending items

REPORT ON MEXICAN SISTER CITY

Alderman Herrera gave a report on a recent trip to Mexico.

2025 REGIONAL TRANSPORTATION PLAN

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

A RESOLUTION PROVIDING THE DURHAM-CHAPEL HILL-CARRBORO TRANSPORTATION
ADVISORY COMMITTEE WITH A RECOMMENDATION ON
THE 2025 REGIONAL TRANSPORTATION PLAN
Resolution No. 75/2002-03

WHEREAS, the Town of Carrboro has participated in regional transportation planning as a member of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization since the mid-1980's; and

WHEREAS, the Durham-Chapel Hill-Carrboro Transportation Advisory Committee has released a Draft Recommended 2025 Regional Transportation Plan; and

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review and comment on regional transportation plans and policies.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen provide the following comment to the Transportation Advisory Committee on the 2025 Regional Transportation Plan:

1. Revise Section 1.3 of the 2025 Plan Report to include the following language:

“Federal regulations allow the use of the Surface Transportation Program and Congestion Management Air Quality funds for public transit projects. While the Plan includes these anticipated revenues in the Highway category, they could be utilized for public transit projects.”

2. The Transportation Advisory Committee representative and town staff work to identify options for trading some roadway projects for mass transit projects.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 17th day of December, 2002:

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

Noes: None

Absent or Excused: Jacquelyn Gist

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 10:15 P.M. VOTE: AFFIRMATIVE ALL ABSENT ONE (GIST)

Mayor

Town Clerk