

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 4, 2003 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Jacquelyn Gist
	John Herrera
	Diana McDuffee
	Alex Zaffron
Interim Town Manager	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:

Alderman	Mark Dorosin
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PRESENTATION OF CHECKS FOR THE CENTURY CENTER CLOCK

Aaron Nelson, representing the Chapel Hill-Carrboro Chamber of Commerce, presented the Town with two checks for the Century Center clock.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE JANUARY 14 AND 21, 2003 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

BUDGET AMENDMENT

On January 21, 2003 a budget amendment was presented to the Board to appropriate funds approved for pay plan adjustments; street resurfacing transfers; and contractual costs associated with the search for a new town manager. The incorrect version of the budget amendment was erroneously presented to the Board at that meeting and is presented to the Board tonight in correct format. The Board is asked to approve the revisions.

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, ABSENT ONE (DOROSIN)

QUARTERLY REPORTS FOR THE QUARTER ENDING DECEMBER 31, 2002

The purpose of this item was to present to the Mayor and Board of Aldermen quarterly reports for the quarter ending December 31, 2002.

REQUEST TO SET A PUBLIC HEARING ON THE FINANCING OF A PARKING LOT ON ROSEMARY STREET

The Board, on December 12, was notified of an opportunity to purchase a parking lot in a cooperative effort with the Town of Chapel Hill. The Board authorized staff to secure an option to purchase the Town's share of the parking lot parcel located at the intersection of Sunset and Rosemary Streets. The town currently leases this property. The owner has accepted the offer extended through the option and the Town will need to finance the purchase of this parking lot through installment financing. The Board was requested to approve a budget amendment establishing the capital budget for the parking lot purchase and to set a public hearing for March 4, 2003 as required by state statute to finance the purchase of this parking lot.

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

A RESOLUTION CALLING A PUBLIC HEARING ON THE USE OF
LEASE PURCHASE FINANCING TO PURCHASE A PARKING LOT
Resolution No. 95/2002-03

WHEREAS, the Carrboro Board of Aldermen agrees to use installment debt financing to purchase land on Rosemary Street for use as a parking lot; 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 call a public hearing on March 4, 2003 to consider the lease purchase financing of the land.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 4th day of February, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

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

APPOINTMENT TO THE FRIENDS OF THE CENTURY CENTER

The Mayor and Board of Aldermen are requested to consider appointing Claudia Nascimento to serve on the Friends of the Century Center.

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

A RESOLUTION MAKING AN APPOINTMENT TO
THE FRIENDS OF THE CENTURY CENTER
Resolution No. 93/2002-03

WHEREAS, the Board of Aldermen adopted a resolution on September 5, 2000 established the Friends of the Century Center; and

WHEREAS, on December 12, 2000 the Board of Aldermen adopted the formal charge for the Friends of the Century Center; and

WHEREAS, the Friends of the Century Center was approved to consist of seven citizens.

WHEREAS, there are currently six members serving on this committee; and

WHEREAS, Claudia Nascimento has submitted an application to serve on this committee.

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

Section 1. Claudia Nascimento is hereby appointed to serve on the Friends of the Century Center.

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 4th day of February, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

CHARGE ISSUED

The Town Clerk issued a charge to Heidi Perry, a recent appointee to the Transportation Advisory Board.

PUBLIC HEARING: PLAN FOR ROBERSION STREET IMPROVEMENTS

In response to the Downtown Carrboro: New Vision report, the Board of Aldermen 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 adopt a resolution approving the Plan for Roberson Street Improvements.

Dale McKeel, the Town's Transportation Planner, made the presentation.

Chris van Hasselt, Chair of the Transportation Advisory Board, stated that the TAB liked the 11-foot lanes; the TAB would oppose bike lanes because of the on-street parking.

James Morgan stated that the proposed street cross section is a good "test bed." The Downtown Development Commission recommended that particular attention be made to the intersection of Sweet Bay Place and Roberson Street.

Dickie Andrews, a resident of 213 Hillsborough Road and owner of property at 101 South Greensboro Street, voiced concern about the negative impact the proposed cross section would have on his property.

Jeff Rubish, a resident of 214 Hillsborough Road, and speaking on behalf of his family, spoke against the proposed widening of Roberson Street. He stated that this proposal would adversely affect Bank of America. Mr. Rubish suggested that the Town know what the project will cost before approving the proposal. He stated that he does not feel the Town can take property from property owners for this project. Mr. Rubish pointed out that Bank of America provides free parking to downtown merchants after hours. Mr. Rubish asked the following questions:

1. Will the Town pay for the improvements to Roberson Street?
2. Will the Town be installing a traffic signal at the intersection of Roberson and Greensboro Streets?
3. How can the Town take property from property owners to promote a new venture. Is that a conflict of interest?

Nathan Millian, representing Carr Mill Mall Partnership, asked that the Board to be consistent in its requirements for improvements to Roberson Street.

Nicholas Lurie, 275 Sweet Bay Place, proposed a cross section to include two five-foot bikes with parking on one side of the street. He encouraged the Town to contact the UNC Pedestrian and Bicycle Information Center on Airport Road.

Jack Haggerty suggested that building permit and land use permit applications be reviewed in light of this proposal.

Mazouz Fakhouri, owner of the Andrews Riggsbee Hardware building, stated that they couldn't afford to lose any of their property.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO CONTINUE THIS PUBLIC HEARING UNTIL FEBRUARY 18, 2002.

The Board requested that the Town staff respond to Mr. Rubish's questions.

Alderman Gist requested that the Town staff provide information on the cost to the Town and the affect on the tax rate.

Alderman Herrera asked how many parking spaces would be lost if parking is allowed only on one side of the street.

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT RELATED TO BUILDING HEIGHTS

An ordinance amending the provisions related to building heights, active recreational facilities and sidewalk widths in the downtown has been prepared and amended in accordance with the Board of Aldermen's requests on October 8, 2002. The Board of Aldermen must receive public comment prior to taking action on these changes.

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

Alderman Broun requested a list of properties on the National Registry and a definition for how properties gain that status.

James Carnahan, a member of the Planning Board, stated that the Planning Board supports the proposed ordinance.

James Morgan, Co-Chair of the Downtown Development Commission, reviewed the Commission's recommendation.

Ruffin Slater, a resident and businessperson of Carrboro, spoke in favor of additional sidewalks and increased building heights. He stated that he feels the Town needs more commercial space and urged the Board to support the proposed ordinance.

Jeff Rubish asked that the graphics presented at tonight's meeting be placed on the Town's website. He asked where people will park in downtown if building heights are increased to five stories, and asked if the requirements for parking would be adjusted with the increased building heights.

Dickie Andrews, owner of building at 101 S. Greensboro Street, spoke in support on two stories along Main Street with taller buildings on the outskirts.

James Carnahan stated that the Planning Board asked Town staff to evaluate the land use ordinance provisions that allow parking levels to be provided in addition to the maximum number of building stories.

Virginia Knapp, with the Chapel Hill-Carrboro Chamber of Commerce, feels increased building heights will encourage the Town's economic sustainability.

Giles Blunden, a Carrboro resident, spoke in favor of higher building heights. He stated that he feels the tax base needs increased building heights, the downtown will be enhanced by increased activity, and residential uses needs to be encouraged.

James Carnahan stated he feels raising building heights is very important. The Town needs to make the best possible use of what it has. The more jobs that can be provided downtown will prevent citizens from having to travel to work. He stated that he feels the Town's downtown designs are very important.

Bland Holman, a resident of 200 E. Carr St., quoted from page 9 of the notes from the Charette regarding the ratio of building heights. He urged the Board to ask staff to take a picture looking down Carr Street to the east from Greensboro showing what the options would do in terms of setbacks.

Ken Moore encouraged the Board to preserve the town, more business opportunities and residential opportunities for downtown.

Jack Haggerty spoke against allowing parking on the first floor and not counting it as a story. Asked for a visual of the increased building heights.

Jeff Rubish asked if the Town's fire truck could protect a five-story building.

Sophie Piesse feels increased building heights is integral to the Vision 2020 plan.

James Morgan reminded the Board that there is an extensive parking report that acknowledges the affect the increased building heights will have on parking.

Alderman McDuffee requested that the TAB and Planning Board review the parking committee's report.

It was the consensus of the Board to direct staff to: (1) prepare additional ordinance provisions that specify permit type requirements for buildings over three stories in relation to potential impacts and design consideration; and (2) to schedule final action on the draft ordinance in conjunction with additional ordinance provisions and the receipt of recommendations of the Recreation Points Review subcommittee.

Mayor Nelson asked that the Town staff to provide information on allowing an additional story if it is designated as residential.

Alderman Gist asked that the Town staff look at using conservation area overlay zoning, conditional use district zoning, and modifications to permit requirements.

Alderman Zaffron requested that advisory boards be allowed to review the planning staff's report.

Aldermen McDuffee asked for an example of what additional stories would look like from Carr and Maple.

Alderman Broun asked what the performance standards will look like. Determine the existing square footage of the commercial tax base of area under consideration.

Alderman Herrera asked for information on the existing and potential square footage yield

The Board requested that the town staff provide a recommendation on February 11th of when this matter can come back to the Board for consideration.

REQUEST TO ADOPT A TOWN CODE AMENDMENT: BARINGTON HILLS ROAD PARKING LIMITATIONS

The Town of Carrboro's Residential Traffic Management Plan provides an opportunity for residents to petition for parking limitations on neighborhood streets. Residents of Barington Hills Road have petitioned the Town of Carrboro to restrict parking on a portion of their street. The Administration recommended that the Board of Aldermen approve the ordinance amending the Town Code to limit parking on Barington Hills Road.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE TO SPECIFY PARKING RESTRICTIONS ON A PORTION OF BARINGTON HILLS ROAD." VOTE: AFFIRMATIVE ALL

DISCUSSION OF MANAGEMENT RECRUITMENT ISSUES

The purpose of this item is to request that the Board of Aldermen (1) Approve the revised timeline; (2) Approve the recruitment brochure; (3) Decide whether to include a salary range and if so, what that range should be; (4) Decide whether the names of the finalists will be kept confidential; and (5) Decide to complete negotiations before the finalist is announced.

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

A RESOLUTION APPROVING TOWN MANAGER RECRUITMENT ISSUES

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

Section 1: Approve the revised timeline.

Section 2: Approve the recruitment brochure with the following changes:

Under the description of the town – include the diversity of the town’s population, including the percentages of Hispanic, African American, Asian and female single heads of household.

Section 3: Include the following statement regarding the salary in the brochure:

“Salary will be commensurate with experience and qualification. The previous manager’s salary was \$_____.”

Section 4: Keep the list of finalists confidential.

Section 5: Complete negotiations before the finalist is announced.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 4th day of February, 2003:

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

Noes: None

Absent or Excused: None

APPOINTMENT TO CHAPEL HILL’S TOWN OPERATIONS CENTER DESIGN ADVISORY COMMITTEE

It was the consensus of the Board to designate Chris Peterson’s as the Town’s representative on the Chapel Hill Operations Center Design Advisory Committee.

Alderman Gist requested that status reports be provided to the Board following each meeting of the committee.

ADEQUATE PUBLIC FACILITIES ORDINANCE

Alderman McDuffee proposed that the February 18th public hearing on the adequate public facilities ordinance be postponed until the Town receives further guidance from Orange County. The Town has indicated that it could not adopt the proposed ordinance if it were to cause a defacto moratorium. With the over capacity at the high school and the announcement in the newspaper that a new high school would not be opening in the next year, it appears that if Carrboro adopts the ordinance, we will cause a moratorium.

There seems to be two ways to deal with the problem—to raise the limits on enrollment or suspend the limit on enrollment for the high schools.

Mayor Nelson suggested that a third alternative would be to merge the school systems.

It was the consensus of the Board to postpone the February 18th public hearing and instead hold a Board worksession on the proposed ordinance. In addition, the Board requested that Mayor Nelson forward a letter to the County Commissioners transmitting the Board's concerns.

DISCUSSION OF LEGISLATIVE ISSUES

It was the consensus of the Board to have a brief discussion of legislative issues on February 11th.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO
ADJOURN THE MEETING AT 11:00 P.M. VOTE: AFFIRMATIVE ALL
