

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 18, 2003 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
Interim Town Manager/	Michael B. Brough
Town Attorney	
Deputy Town Clerk	Richard White

ANTI-WAR CAMPAIGN

Jackie Allen spoke in support of purchasing products from France and Germany because of their anti-war stance.

BABY HAT KNIT NIGHT

Alderman Broun announced the Baby Hat Knit Night which will Friday, February 28th from 6:00 p.m. to Midnight at Yarns, Etc. in Carrboro.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE FEBRUARY 11, 2003 MINUTES. VOTE: AFFIRMATIVE ALL

ADOPTION OF THE 2003 ACTION AGENDA

The *Action Agenda* allows staff to align the town budget with the Board's goals and objectives. The Board conducted two retreats this year to discuss goals, objectives, and projects for town departments. The Administration has prepared an *Action Agenda* to implement the decisions reached at the retreats. The purpose of this item was to request that the Board adopt the *2003 Action Agenda*.

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

A RESOLUTION ADOPTING THE *2003 ACTION AGENDA*
Resolution No. 108/2002-03

NOW THEREFORE BE IT RESOLVED by the Carrboro Mayor and Board of Aldermen that the *2003 Action Agenda* as presented is adopted as the work plan for 2003.

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

REQUEST TO ADOPT A RESOLUTION DESIGNATING AGENTS TO EXECUTE NORTH CAROLINA EMERGENCY MANAGEMENT FORMS ON BEHALF OF THE TOWN OF CARRBORO

Several North Carolina counties were declared disaster areas because of the effects of the December 4, 2002 winter storm. The Town of Carrboro is located in Orange County, which is one of the counties designated within this disaster area. As part of the process for receiving disaster funds from North Carolina Division of Emergency Management, the Board must approve a resolution designating a primary agent and a secondary agent to act on behalf of the Town in applying for funds. The Board was requested to adopt a resolution authorizing Jan Bryant-Berry, Purchasing Officer/Risk Manager as the town's primary agent and Bing Roenigk, Assistant Town Manager as a secondary agent.

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

A RESOLUTION DESIGNATING APPLICANT'S AGENT
NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT
Resolution No. 113/2002-03

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

Section 1. The Board of Aldermen hereby designates Jan Bryant-Berry to act as the town's primary agent and Bing Roenigk to act at the town's secondary agent to execute and file applications for federal and/or state assistance on behalf of the Town for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available.

Section 2. The above-named agents are authorized to represent and act for the Town in all dealings with the State of North Carolina and Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances.

Section 3. The above-named agents are authorized to act severally.

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

CONTINUATION OF THE PUBLIC HEARING: PLAN FOR ROBERSON STREET IMPROVEMENTS

On February 4, 2003, the Board of Aldermen held a public hearing on a proposed plan for Roberson Street improvements. After hearing the staff report and public comments, the Board requested additional information and continued the public hearing to the February 18 meeting. Staff has met with two affected property owners and prepared the information requested by the Board. The Administration recommended that the Board of Aldermen adopt a resolution adopting the Plan for Roberson Street Improvements.

Dale McKeel, the town's Transportation Planner, made the staff presentation.

Mike Brough stated that if the Board approves the proposed plan, then the town staff would include this project in the capital needs plan for the Board's consideration at a later date.

Mike Rubish stated that this plan is an important decision for his family. He stated that he has not received any assurances from the Town on how the project will affect their tenant, Bank of America and that few property owners affected by this improvement project are aware of this proposal. Mr. Rubish submitted an alternative proposal that would consist of six-foot sidewalk and elimination of the five-foot planting strip. He expressed concern about how the proposed improvements would affect ingress and egress for their current tenant. He requested that the Board delay its vote on this matter until they have an opportunity to communicate with their tenant.

Jack Haggerty asked that the Carr Mill Mall Management project coincide with the Roberson Street improvement project. If changes were made that would require alterations in the plans for the Carr Mill project that the revisions be approved by the town staff, rather than requiring Board approval. He asked that the Town look at building permits and land use permits for projects along Roberson Street.

James Harris, the town's Community and Economic Development Director, stated that he had spoken with Joe Jones, a downtown property owner, concerning the Roberson Street improvement project. Mr. Jones questioned whether the widening project would occur when a project comes in. Mr. Harris pointed out that the statement on the proposed cross-section: "When the plan is implemented, the overall right-of-way width and cross-section elements may be modified I necessary to minimize impacts to existing structure", should address the concerns of many property owners.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Dorosin.

**A RESOLUTION ADOPTING THE PLAN FOR
ROBERSON STREET IMPROVEMENTS
Resolution No. 111/2002-03**

WHEREAS, the Carrboro Board of Aldermen has requested that staff prepare a plan for Roberson Street improvements.

WHEREAS, the recommendations from the September 2001 downtown visioning charrette specified in *Downtown Carrboro: New Vision* indicates that improvements, i.e. wider sidewalks, tree planting areas, and on-street parking, should be added to Roberson Street.

WHEREAS, the roadway width of the proposed cross-section is 38 feet, and the right-of-way width is 68 feet, an increase of the existing 40-foot right-of-way to a 68-foot right-of-way, and

WHEREAS, the Carrboro Board of Aldermen held a hearing on February 4, 2003 to receive public comment on the proposed policies.

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

Section 1. The Board adopts the Plan for Roberson Street Improvements.

Section 2. When the plan is implemented, the overall right-of-way width and cross-section elements may be modified if necessary to minimize impacts to existing structures.

Section 3. It is the intent of the Board of Aldermen to follow-up with a work session to develop an implementation plan and to continue dialogue with Roberson Street property owners and tenants.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of February, 2003:

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

Noes: Jacquelyn Gist

Absent or Excused: None

REPORT ON IMPLEMENTATION OF THE PARKING COMMITTEE REPORT

The *Parking Task Force Report* was presented to the Board of Aldermen on October 8, 2002. The Board received the report, requested that the report be reviewed by staff and three advisory boards, and directed staff to develop an implementation and monthly reporting schedule. The purpose of this item was to (1) provide an update from town staff on implementation, (2) receive direction from the Board on changes to the land use ordinance, and (3) receive direction from the Board on elements to be reviewed by the advisory boards.

Alderman Zaffron announced that the remaining \$25,000 to fund the downtown circulation study has been secured. The Town is required to make a \$10,000 match contribution.

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

Mike Brough stated that the town staff would propose that the Board consider eliminating the requirement that development in the downtown provide parking, or eliminate the parking requirement for residential uses in mixed-use developments or for residential uses on upper floors of multi-story buildings. The Parking Task Force recommended revisions to the parking section of the land use ordinance in the following areas: 1) abandon use-based calculation of parking load; 2) provide payment-in-lieu option based on cost of town supplying parking not provided by developer; 3) simplify dimensional standards for parking bays and aisles shown on development plans; 4) give consideration to establishing maximum lot area devoted to parking; and 5) remove requirement to pave lots.

Alderman Zaffron expressed interest in pursuing the staff's recommendation in combination with a payment-in-lieu scheme to create a parking trust fund to provide public parking.

Alderman Gist requested information on U.S. towns and cities that do not have parking requirements.

Alderman McDuffee suggested that the Board might wish to establish a maximum lot area that can be devoted to parking.

Alderman Broun requested a staff analysis of the staff proposal to eliminate the parking requirement, including the affect on adjacent areas. In addition, she asked for information on successful public/private partnerships to develop parking in downtowns.

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

A RESOLUTION RECEIVING THE REPORT ON THE
PARKING TASK FORCE REPORT
Resolution No. 112/2002-03

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review policy and regulations.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen have reviewed the report provided by the Planning Staff.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Aldermen receives the report and directs staff to develop ordinance amendments as requested by the Parking Task Force, in addition to the staff's recommendation to eliminate parking requirement in the downtown.

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

WORKSESSION TO DISCUSS THE "LAND USE ORDINANCE TEXT AMENDMENT TO REQUIRE THAT THE ADEQUACY OF PUBLIC SCHOOL FACILITIES TO ACCOMMODATE NEW DEVELOPMENT BE CONSIDERED IN THE APPROVAL PROCESS" AND THE MEMORANDUM OF UNDERSTANDING WITH AN ADDENDUM.

The Board of Aldermen held a work session to discuss the process, procedures and technical aspects associated with:

1. An amendment to the Carrboro Land Use Ordinance entitled "*An Ordinance Amending The Carrboro Land Use Ordinance To Require That The Adequacy Of Public School Facilities To Accommodate New Development Be Considered In The Approval Process*".
2. The Schools Adequate Public Facilities Memorandum of Understanding (MOU); and
3. An addendum to the MOU that incorporates additional provisions requested by the Carrboro Board of Aldermen in their May 14, 2002 resolution.

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

Craig Benedict, Orange County's Planning Director, answered questions concerning how the models address the ninth grade Chapel Hill/Carrboro schools move-in scenario.

Mike Brough, the town's Attorney and Interim Manager, discussed how the availability of school capacity works.

Alderman Gist asked if there are any provisions to prevent one developer from taking all available CAPS at once.

Mike Brough stated that there are two approaches – phased over years of construction based on available CAPS or look at availability in year construction starts; needs to be agreement on how process will work; how to deal with negative numbers - revise CIP, adjustments like mobile classroom (definitions); eliminate high school level from ordinance; merger; and change service levels

Craig Benedict spoke about the need to unearth assumptions; need to decide how do we get to same end product; projections are used to develop CIP

Alderman Broun spoke about the absence of a plan to build a middle school in Southern Orange County, which would result in a moratorium

Mayor Nelson stated that he wants to adopt something legally defensible and rational and proposed waiting until plans are known about a middle school.

Alderman Broun stated that she would like to see the development of a CIP that shows plans for schools in years 2009-14 and consensus on interpretation.

Alderman Herrera stated that he would like to see how the projections play out for a merged school district.

Alderman Dorosin asked if SAPFO is necessary if the schools merge.

Alderman Gist asked for a discussion on year-round schools.

Alderman McDuffee stated that all need to be on the same page about capacity numbers and costs and a CIP that addresses how CAPS are issued.

Alderman Zaffron stated that there needs to be agreement on triggers and how numbers work – staffs need to agree.

MEMO ON WIRELESS INFRASTRUCTURE ADDITIONS

Alderman McDuffee commended Andy Vogel, the town's Information Technology Manager, on his report to the Board regarding wireless infrastructure additions.

BROWNFIELDS PROPERTY REUSE ACT

Alderman Zaffron stated that the Board had received a letter from Senator Kinnaird suggesting that the Town apply for a brownfields redevelopment grant for the Butler's Garage property on Main Street. Alderman Zaffron stated that the town staff had already applied for such a grant.

ENFORCEMENT OF LOITERING ORDINANCE

Alderman Herrera stated that a recent article in *The Chapel Hill News* police blotter had incorrectly listed the name of the person. The person's correct name is Francisco Molina Aboytes.

Mayor

Deputy Town Clerk