

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 15, 2003 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent:

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| Alderman | Mark Dorosin |
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PUBLIC INPUT ON DEVELOPMENT PLAN FOR 201 NORTH GREENSBORO STREET

Ruffin Slater, Manager of Weaver Street Market, invited the Board and citizens to attend public input sessions on April 26th at the Century Center from 9:00-4:00. and on May 10th from 9:00-12:00 to receive input on the development of the property located at the corner of Weaver and Greensboro Streets.

CLUB NOVA TRANSITIONAL EMPLOYMENT PROGRAM

Pam Cinnelle with Club Nova, asked for the town's support of their Transitional Employment Program

The Board requested that Ms. Cinnelle contact the town's Personnel Department concerning this program.

COMMUNITY FORUM FOR LATINOS

Nina Yamanis, a UNC Public Health student, invited the Board to attend a community forum for Latinos to be held on May 3 at 10:00 – Noon at Lincoln Center.

The Board requested that the final report be provided to the Town and placed on the town's website when it becomes available.

CONDOLENCES TO THE FAMILY OF GREG SHEPARD

Mayor Nelson expressed the town's condolences to the Greg Shepard family, a former town employee and member of the Carrboro Board of Adjustment, who passed away this past weekend.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE APRIL 8, 2003 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

APPOINTMENTS TO THE TRANSPORTATION ADVISORY BOARD

The Mayor and Board of Aldermen were requested to consider appointing David Deming and Steven Waters to vacant seats on the Transportation Advisory Board.

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

A RESOLUTION MAKING APPOINTMENTS TO THE
TRANSPORTATION ADVISORY BOARD
Resolution No. 145/2002-03

WHEREAS, there are currently two vacant seats on the Transportation Advisory Board (TAB); and

WHEREAS, these position were advertised and applications were received from: David Deming, Steven Waters, Tim Turner, Julian Sereno, David Bleicher, Joseph LoBuglio, and David Collins; and

WHEREAS, the Chair of the TAB is recommending that David Deming and Steven Waters be appointed to the vacant seats on the TAB.

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

Section 1. The Board of Aldermen hereby appoints David Deming and Steven Waters to seats on the Transportation Advisory Board. Their terms shall expire in February 2006.

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 15th day of April, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD

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

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

A RESOLUTION MAKING AN APPOINTMENT TO THE
ENVIRONMENTAL ADVISORY BOARD
Resolution No. 146/2002-03

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

WHEREAS, this position has been advertised and Kathleen Buck and Tim Turner have submitted applications; and

WHEREAS, the Chair of the EAB is recommending that Ms. Buck 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 Kathleen Buck to a seat on the Environmental Advisory Board. Ms. Buck's term shall expire in February 2006.

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 15th day of April, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

TOWN CODE AMENDMENT: ON-STREET PARKING ON SWEET BAY PLACE

The upper portion of Sweet Bay Place has been identified as a street on which additional on-street parking can be accommodated in the vicinity of downtown Carrboro. The Administration recommended that the Board of Aldermen approve an ordinance amending the Town Code to establish new parking regulations on Sweet Bay Place.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE TO CHANGE THE PARKING RESTRICTIONS ON A PORTION OF SWEET BAY PLACE."

VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

RECOMMENDED HOME PROGRAM FUNDING PLAN FOR 2003-04

The purpose of this agenda item was to present to the Board of Aldermen the recommended funding proposal for the fiscal year 2003-04 funding cycle as developed by the HOME Program Review Committee.

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

A RESOLUTION APPROVING THE
2003-2004 CONSOLIDATED HOUSING PLAN ANNUAL UPDATE AND
THE ORANGE COUNTY 2002-2003 HOME PROGRAM DESIGN

BE IT RESOLVED, by the Carrboro Board of Aldermen, as a member of the Orange County HOME Consortium, to approve the following activities for the 2002-2003 HOME Program:

Comprehensive Rehabilitation

The County and the Towns to address comprehensive rehabilitation needs of citizens on the rehab waiting list will use funds. All four governments maintain this list. \$277,040

Property Acquisition

These funds will be used by Affordable Rentals to purchase a duplex on Roosevelt Drive in Chapel. This project will address the rental needs of citizens between the 30 and 50% of the area median income. \$188,000

These funds will be used by the Town of Chapel Hill to assist in the purchase of a house for the Town's Transitional Housing Program. \$32,000

Second Mortgage Assistance

The committee proposed to budget these funds to provide deferred second mortgages to ten (10) homebuyers earning less than 50% of the area median income. These home will be located in a Habitat project in Efland. \$150,000

The committee also recommended setting aside funds for any qualified non-profit property acquisition and renovation for first time homebuyers earning less than 80% of the area median income. \$75,000

Down Payment Assistance

Funds will be used by Orange Community Housing and Land Trust to provide down payment assistance to first time homebuyers in the Meadowmont's Greenway Condominium Project. This money will provide assistance to ten first time homebuyers who earn less than 80% of the area median income. \$100,000

Operational Support

Funds will be provided to Orange Community Housing and Land Trust to cover cost related to developing the Greenway Condominium Project. As a designated Community Housing Development Organization for the HOME program, the Land Trust is eligible to receive administration funds. \$10,000

Administration

The remaining \$73,959 is allocated to the Orange County Housing and Community Development Department for administration of the program. \$73,959

Total Program Funds \$905,999

BE IT FURTHER RESOLVED that the Orange County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S Department of Housing and Urban Development.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15th day of April, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT: CREATION OF PUBLIC PARKING AREAS FROM PRIVATE LOTS

A public hearing on a Land Use Ordinance text amendment to provide for the creation of public parking areas from private parking lots must be held before the Board of Aldermen takes any action on the proposed change. The Administration recommended adoption of the draft ordinance.

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

Alderman McDuffee suggested that the town's advisory boards be given more time to review land use ordinance text amendments.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

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 PROVIDE FOR THE CREATION OF PUBLIC PARKING LOTS FROM PRIVATE PARKING AREAS." VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE THAT THE LEASE FOR ANY PUBLIC PARKING AREAS CREATED UNDER THE PROVISIONS OF THIS ORDINANCE ADDRESS SAFETY CONCERNS AND DISABILITY STANDARDS, AND MEET ALL REQUIREMENTS OF THE CARRBORO LAND USE ORDINANCE AND THE N.C. STATE BUILDING CODE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN THAT THE TOWN STAFF EXAMINE EXTENDING THE PROVISIONS OF THIS ORDINANCE TO THE B-2 ZONING DISTRICT IN CONJUNCTION WITH THE STAFF ANALYSIS OF THE POSSIBLE ORDINANCE CHANGES RECOMMENDED IN THE PARKING TASK FORCE REPORT. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

PRESENTATION OF A PETITION REQUESTING THE REZONING OF 219 GUTHRIE AVENUE

Steve Simpson has submitted a request on behalf of the owners of property located at 219 Guthrie Avenue to amend the zoning designation of this property from R-2 to RHDC. An overview of the request was presented. A resolution setting a public hearing was recommended for the Board's adoption.

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

Steve Simpson stated that it is hoped if this property is rezoned to RHDC it will allow redevelopment of some adjoining properties.

Alderman Zaffron stated that he would expect an agreement that the developer would construct 15% affordable housing if this property were rezoned.

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

A RESOLUTION SPECIFYING FOLLOW-UP ACTIONS TO A LAND USE ORDINANCE MAP
AMENDMENT REQUEST REGARDING THE REZONING OF THE
STGL PROPERTY FROM R-2 TO RHDC
Resolution No. 139/2002-03

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

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen set a public hearing for June 10, 2003 to receive public comment on the petition to rezone the STGL LLC property listed on the Orange County Land Records system as PIN 9778-05-4173 from R-2 to include the RHDC.

BE IT FURTHER RESOLVED that the draft ordinance be referred to the Planning Board for comment and recommendations to the Board.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 15th day of April, 2003:

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

Noes: Jacquelyn Gist

Absent or Excused: Mark Dorosin

MINOR MODIFICATION TO THE LAKE HOGAN FARMS CONDITIONAL USE PERMIT

Mr. Michael Dean Chadwick of 1st American Builders, LLC, has submitted an application requesting a minor modification of the Conditional Use Permit (CUP) issued on September 27, 1994 for the Lake Hogan Farms subdivision. Specifically, the applicant is requesting the establishment of a 25-foot (25') 'natural, vegetative, undisturbed buffer' on one specific lot (Lot 151) where a 75-foot (75') buffer was established when the CUP was granted.

Marty Roupe, the town's Zoning Administrator, made the presentation.

Michael Dean Chadwick stated that the purpose of this request is to allow the potential owners to have a lawn.

Tony Nicholson, representing Mary Mandell, stated that Ms. Mandell feels that a 40-foot natural buffer is sufficient and that the developer has painted the rear side of the house to an earth tone color. He stated that Ms. Mandell agrees with the reduced buffer contingent on the restrictive covenant being recorded.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO DENY THE REQUEST. (MOTION WITHDRAWN WITH THE REQUEST THAT THIS MATTER BE PLACED ON THE APRIL 22ND AGENDA.)

A resident of Lake Hogan Farms spoke in favor of the requested modification. He stated that the homeowners association is in favor of the proposed amendment.

WORKSESSION ON REQUESTS FOR INCREASED STAFFING FOR THE POLICE AND FIRE DEPARTMENTS

Over the recent months, the Board of Aldermen has been presented with information on various town needs, including technology and capital needs. Review of FY03-04 budget requests with departments reveals numerous personnel needs to continue and improve basic services. An emergent issue to be presented in the Manager’s Recommended Budget is the need for additional police and fire staffing. Due to the unique staffing schedules and shift issues faced by these departments, a presentation has been prepared for the Board that will provide an understanding of each department’s needs.

Chief Rodney Murray and Deputy Chief Iby George reviewed the Fire Department’s personnel needs.

Chief Carolyn Hutchison and Captain Joal Booker addressed the staffing needs for the Police Department.

REVISION TO BUDGET CALENDAR

The Town Manager notified the Board of the need to make changes in the budget calendar. The recommended budget, originally scheduled for presentation on April 22, has been delayed until Tuesday, May 6, 2003. This also affects the proposed scheduling of the public hearing on the recommended budget and future work sessions. The Board was requested to approve the revisions to the Budget Calendar.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JOHN HERRERA TO APPROVE THE FOLLOWING REVISED BUDGET CALENDAR:

| Description | Original Date | Revised Dates |
|--|--------------------------|-------------------------|
| Recommended Budget Presented to Board | Tuesday, April 22 | Tuesday, May 6 |
| Public Hearing on Budget | Tuesday, May 6 | Tuesday, May 13 |
| Budget Work Session #1 | Thursday, May 1 | Thursday, May 22 |
| Report to Board on recommendations for Human Services | Tuesday, May 27 | Tuesday, May 27 |
| Budget Work Session #2 | Thursday, May 22 | Thursday, May 29 |
| Board directs Town Manager to prepare final budget | Tuesday, June 10 | Tuesday, June 10 |
| Adoption of FY03-04 Budget, Pay Plan, and Misc. Fees & Charges Schedule | Tuesday, June 24 | Tuesday, June 24 |

VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

SAPFO

Mayor Nelson asked Mike Brough to contact the Orange County Manager to determine the status of the schools and public facilities ordinance.

Mike Brough stated that he had met with Orange County staff members and that he is in the process of modifying the memorandum of understanding pursuant to that meeting.

TOWN MANAGER SEARCH PROCESS

Mayor Nelson stated that the Town Manager Search Subcommittee had met to discuss the interview process for the new town manager. He stated that the subcommittee was recommending that the Board use the process outlined by The Mercer Group.

SPECIAL LEGISLATION

Alderman Zaffron asked for authorization to monitor the status of the affordable housing bill and pull the bill if it appears that it will be defeated.

The Board gave its authorization to Alderman Zaffron.

Alderman Zaffron asked that the town staff contact Beau Mills at the N.C. Metropolitan Coalition to obtain a copy of the resolution endorsing SB 160 for the Board's consideration.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO
ADJOURN THE MEETING AT 10:40 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk