

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 3, 2003 at 7:30 p.m. in the Town Hall Board Room.

PRESENT AND PRESIDING:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun (arrived at 7:52 p.m.)
	Mark Dorosin
	Jacquelyn Gist
	John Herrera (arrived at 7:39 p.m.)
	Diana McDuffee
	Alex Zaffron
Interim Town Manager/Attorney	Michael B. Brough
Deputy Town Clerk	Richard White

**HANGER'S CLEANERS PROJECT**

Bob Proctor stated that the town staff would be providing a report to the Board on the Hanger's Cleaners project this weekend. He said that this report will be incomplete as it will not include information on Hanger's Cleaners current or planned operations at their Fidelity Street plant.

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**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE MAY 27 AND 28, 2003 MINUTES OF THE BOARD OF ALDERMEN. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, HERRERA)

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**RESOLUTION FOR REFUNDING OF GENERAL OBLIGATION BONDS ISSUED BY THE TOWN IN 1990 AND BONDS PREVIOUSLY REFUNDED IN 1989**

The Board was requested to adopt a resolution formally authorizing the refinancing of general obligation bonds as required by the Local Government Commission. Approval of this resolution is the final of several steps taken by the Board in refunding the 1990 bond issue and bonds previously refunded in 1989. In addition, the Board was requested to adopt a budget ordinance transferring funds from contingency to pay Bank of America for loan expenses associated with the closing.

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

A RESOLUTION FOR THE SALE OF  
GENERAL OBLIGATION REFUNDING BONDS  
Resolution No. 174/2002-03

WHEREAS, on May 20, 2003, the Board of Aldermen (the "Board") of the Town of Carrboro, North Carolina (the "Town"), authorized the issuance of up to \$650,000 of town general obligation refunding bonds (the "Bonds") to refund the outstanding balance of the town's 1989 general obligation taxable refunding bond and

its 1990 general obligation bonds for streets and bikeways (the "Prior Bonds"). The 1989 Bond was issued with interest that is not exempt from federal income tax; and

WHEREAS, the Town has solicited competitive proposals for the purchase of such refunding bonds, and Bank of America National Association ("Bank of America"), has submitted the best proposal.

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

1. *Determination To Sell Bonds*

- (a) The Town will issue and sell the Bonds and use the proceeds to retire the Prior Bonds and to pay financing costs.
- (b) The Town will issue the Bonds in two series. One series (the "Taxable Bonds") will be used to refund the taxable 1989 bond and will be designated "Taxable Refunding Bonds, Series 2003A." The second series (the "Tax-Exempt Bonds") will be used to refund the 1990 bonds and will be designated "Tax-Exempt Refunding Bonds, Series 2003B."

2. *Acceptance of Proposal* - The Town asks the North Carolina Local Government Commission (the "LGC") to sell the Bonds to Bank of America at a private sale pursuant to the terms of its proposal dated May 22, 2003 (the "Proposal"). These sales are to be in accordance with the provisions of North Carolina General Statute §159-123, which permits the private sale of refunding bonds.

3. *Determination of Details of the Bonds* - The Town Finance Officer is authorized and directed to determine certain details of the Bonds subject to the provisions of this resolution and the Proposal. The Finance Officer will execute and file an Issuance and Sale Certificate among the official records of the Town setting forth such details. This certificate will contain the following additional details of the Bonds:

- (a) The aggregate principal amount of the Bonds, with such amount not to exceed \$650,000 in the aggregate;
- (b) The interest rates on the Bonds, with such interest rates (in the absence of default or change in tax status) not exceeding an annual interest rate of (i) 3.55% for the Taxable Bonds, and (ii) 2.99% for the Tax-Exempt Bonds;
- (c) The principal payment schedule for the Bonds, with a final maturity date in each case not to extend beyond December 31, 2010; and
- (d) Prepayment provisions for the Bonds.

4. *Pledge of Faith, Credit and Taxing Power* -- The town's full faith and credit are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Board will levy and collect an annual ad valorem tax, without restriction as to rate or amount, on all locally taxable property in the Town sufficient to pay the principal of and interest on the Bonds as the same become due.

5. *Form of Bonds* -- There will be initially a single, fully-registered bond for each series of Bonds. The Bonds will be in substantially the form set out in Exhibit A.

The Bonds must be signed by the manual or facsimile signature of the Board's Mayor or Mayor Pro Tem, must be countersigned by the manual or facsimile signature of the Town Clerk or any Assistant Clerk, and Carrboro Board of Aldermen

the Town's seal must be affixed thereto or a facsimile thereof printed thereon. No Bond will be valid unless at least one of the signatures appearing on such Bond (which may be the signature of the LGC's representative required by law) is manually applied or until such Bond has been authenticated by the manual signature of an authorized officer or employee of an independent bond registrar now or hereafter selected by the Town.

6. *Finance Officer as Registrar; Payments to Registered Owners* -- The Town Finance Officer is appointed Registrar for the Bonds. As Registrar, the Finance Officer will maintain appropriate books and records of the ownership of the Bonds. The Town will treat the registered owner of each Bond as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all rights and powers of the owner, except that interest payments will be made to the person shown as owner on the registration books on the 15th day of the month preceding each interest payment date (whether or not such 15th day is a business day).

7. *Finance Officer To Complete Bond Closing* - After the sale of the Bonds, the Finance Officer and all other Town officers and employees are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to Bank of America upon payment for the Bonds.

The Finance Officer is authorized and directed to hold the executed Bonds, and any other documents authorized or permitted by this resolution, in escrow on the Town's behalf until the conditions for the delivery of the Bonds and other documents have been completed to the Finance Officer's satisfaction, and thereupon to release the executed Bonds and other documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, this authorization and direction is specifically extended to authorize the Finance Officer (a) to enter into such agreements or take such other actions as such officer may deem appropriate in carrying out the refunding contemplated by this resolution (such as entering into a refunding escrow agreement with an escrow agent) and (b) to approve changes to any documents or closing certifications previously signed by Town officers or employees, provided that the Bonds will be in substantially the form approved by this resolution and that any such changes will not substantially alter the intent of such certificates from that expressed in the forms of such certificates as executed by such officers or employees. The Finance Officer's authorization of the release of any such document for delivery will constitute conclusive evidence of such officer's approval of any such changes.

8. *Resolutions As To Tax Matters* - The Town will not take or omit to take any action the taking or omission of which will cause the Tax-Exempt Bonds to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest on the Tax-Exempt Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the Town will comply with any Code provision that may require the Town at any time to pay to the United States any part of the earnings derived from the investment of the proceeds of the Tax-Exempt Bonds, and the Town will pay any such required rebate from its general funds. For the purposes of this resolution, "Code" means the United States Internal Revenue Code of 1986, as amended through the closing date of the Tax-Exempt Bonds, including applicable Treasury regulations.

9. *Tax-Exempt Bonds Are "Bank-Qualified" Obligations* - The Town designates the Tax-Exempt Bonds as "qualified tax-exempt obligations" for the purpose of Code Section 265(b)(3).

10. *Ratification of Professionals* - The Board confirms the selection of Robert M. Jessup, Jr. of The Sanford Holshouser Law Firm to serve as the Town's bond counsel with respect to the Bonds.

11. *Call of Prior Bonds for Redemption* - The Board authorizes and directs the Finance Officer to make, on the Town's behalf, an irrevocable call for redemption of the Prior Bonds (or such portion thereof as

the Finance Officer, after consultation with the LGC, deems beneficial to the Town). The Finance Officer will make this call for redemption by the execution and delivery of an appropriate certificate in connection with the original delivery of the Bonds.

12. *Miscellaneous Provisions* -- All Town officers and employees are authorized and directed to take all such further action as they may consider necessary or desirable in connection with the furtherance of the purposes of this resolution. All such prior actions of Town officers and employees are ratified, approved and confirmed. Upon the absence, unavailability or refusal to act of the Mayor or the Finance Officer, the Town Manager may assume any responsibility or carry out any function assigned to the Mayor or the Finance Officer in this resolution. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of June, 2003:

Ayes: Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: John Herrera, Joal Hall Broun

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

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**REQUEST TO SET A PUBLIC HEARING: SCHOOLS ADEQUATE PUBLIC FACILITIES ORDINANCE**

The purpose of this item was to present a revised memorandum of understanding and a request for the Board of Aldermen to set a public hearing on June 24, 2003 to consider:

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*".

The Schools Adequate Public Facilities Memorandum of Understanding (MOU) that incorporates the previously drafted addendum to the MOU plus revisions to section 3.

Alderman Gist stated that she did not feel the Board needs an extensive presentation on this matter at the June 24<sup>th</sup> public hearing.

Alderman Zaffron requested an in-depth analysis from the town staff on issues raised by the Board.

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

A RESOLUTION SETTING A PUBLIC HEARING ON:  
ADEQUATE PUBLIC SCHOOL FACILITIES MEMORANDUM OF UNDERSTANDING AND  
ORDINANCE

WHEREAS, the Town of Carrboro, through its representation on the Orange County Schools and Land Use Council, has been working cooperatively with the Town of Chapel Hill, the Town of Hillsborough, Orange County, the Chapel Hill/Carrboro School District and the Orange County School District to create a policy and an ordinance that will promote a balance among anticipated student enrollment and school capacity;

WHEREAS, adequate schools support the high quality of education that serves as a linchpin to the quality of life throughout Orange County;

WHEREAS, the Attorneys/Planning Directors/School Administrators (APS) Work Group as requested by the Orange County Schools and Land Use Council, worked over the past several years to develop an Adequate Public School Facilities Memorandum of Understanding and Ordinance;

WHEREAS, the Orange County Schools and Land Use Council has unanimously recommended approval of an Adequate Public School Facilities Memorandum of Understanding and model Ordinance;

WHEREAS, the Town received a report and explanation of the associated documents and mathematical models; and

WHEREAS, the Town Attorney has prepared a Land Use Ordinance amendment that incorporates the essential components of the model ordinance;

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

1. They have received and accepted the report on the Adequate Public School Facilities Memorandum of Understanding and Ordinance;
2. A Public Hearing is hereby set for June 24, 2003 to receive public comment;
3. The staff is requested to prepare the necessary public notice and to advertise in accordance with section 15-323 of the Carrboro Land Use Ordinance; and
4. The staff is requested to forward the MOU and ordinance to the Carrboro Planning Board for their review and recommendation in accordance with section 15-322 of the Carrboro Land Use Ordinance.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of June, 2003:

Ayes: Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

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### **A RESOLUTION MAKING AN APPOINTMENT TO THE OWASA BOARD OF DIRECTORS**

The Mayor and Board of Aldermen were requested to consider re-appointing John Smith to one of the town's seats on the OWASA Board of Directors

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

A RESOLUTION MAKING AN APPOINTMENT TO THE  
ORANGE WATER AND SEWER AUTHORITY BOARD OF DIRECTORS  
Resolution No. 175/2002-03

WHEREAS, the Town of Carrboro has two seats on the Orange Water and Sewer Authority Board of Directors;  
and

WHEREAS, the term of John Smith expires in June 2003; and

WHEREAS, the town staff has advertised this position and received an application from John Smith seeking re-appointment.

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

Section 1. The Board of Aldermen hereby appoints John Smith to serve as one of the Town of Carrboro's representatives on the OWASA Board of Directors. Mr. Smith's new term will expire in June 2006.

Section 2. A copy of this resolution shall be forwarded to OWASA.

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 3rd day of June, 2003:

Ayes: Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: John Herrera, Joal Hall Brough

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**A REQUEST TO ADOPT A BUDGET ORDINANCE**

The Board was requested to approve a budget amendment transferring \$3,500 from contingency to the Recreation and Parks Department to contribute toward the purchase and installation of a dog fence in Anderson Community Park.

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

[Alderman Herrera arrived at the meeting.]

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**VOLUNTARY ANNEXATION OF PHASES 4E, 4F, AND 6B OF LAKE HOGAN FARMS  
SUBDIVISION**

The purpose of this item was to receive citizens' comments regarding a petition for the voluntary annexation of Phases 4E, 4F and 6B of the Lake Hogan Farms Subdivision

Debra Beddingfield, a resident of the northern transition area, asked if residents would be represented like other Lake Hogan Farms residents.

MOTION WAS MADE BY ALEX ZAFFRON AND DULY SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING PHASES 4E, 4F AND 6B OF THE LAKE HOGAN FARMS SUBDIVISION." VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

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### **PACIFICA ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT**

The Carrboro Collaborative Development Association has submitted an application for construction of a 32-lot, 46 dwelling-unit Architecturally Integrated Subdivision (AIS) on the parcel located at the eastern terminus of Hanna Street. It is necessary for the Board of Aldermen to hold a public hearing on this request before taking action.

Jeff Kleaveland, one of the town's Planning and Zoning Specialists, was sworn in and made the presentation.

[Alderman Broun arrived at the meeting.]

Giles Blunden, the applicant, was sworn in and made a presentation.

Nancy White, Associate Professor, NCSU, was sworn in. She gave her perspective on the stormwater management design and stated that the project is thoroughly put together.

Joanna Massey, with the Carrboro Collaborative Development Association and future resident, was sworn in. She spoke about the storm water component; stated that a storm water manual will be developed and submitted to Town; stated that they will take a leadership role in stormwater management; and stated that she is proud to see the project happening.

Russell Dawton, with Kimberly Horn Associates, was sworn in. He stated that they had based their traffic study on the traffic counts in Arcadia, which is a similar type development. He provided an overview of the findings of the traffic study.

Mayor Nelson requested that Mr. Blunden provide information to the Board on the amount of contribution that could be made toward construction of the sidewalk along Hanna Street based on the number of houses that would be constructed.

Alderman Gist encouraged Pacifica to seriously consider the sidewalk.

The following speakers were sworn in:

Bob Joyner, project civil engineer, spoke about the Hanna Street construction. He stated that Hanna Street is in good condition, but may require spot repairs. The next projected maintenance is in 2005 which is near the end of the project construction.

John Marshall, Planning Board Chair, stated that the Planning Board unanimously endorsed the project with three conditions.

Marty Mandell, read a statement from Rich Shaw as follows: I've been informed by Marti Mandell that tonight's public hearing on the proposed Bolin Creek co-housing development (end of Hannah Street) is not scheduled early on the agenda. As such, I will not be able to attend the meeting and make comments because I am already making a presentation this evening to the Orange County board of commissioners.

Had I been able to comment, I would have said that Orange County would like the Carrboro planning board (and board of alderman) to keep in mind that the proposed development is adjacent to the Adams Tract; and that Orange County (in cooperation with the Town of Carrboro) is negotiating the potential purchase of the Adams property as a permanent natural area.

The Adams Tract Preservation Committee (of which I am a member) developed a conceptual plan for the Adams property, which suggests that the entire tract be maintained as a mature forest with no active recreation areas, parking or connector roads. The Committee suggested that the Adams tract be kept in a natural state with limited low-impact recreation (nature trails, interpretive signage). Ample parking and active recreation opportunities are available at Wilson Park, adjacent to the Adams property.

She circulated a map showing the proximity of the Adams and Hanna Street properties. She stated that this land is from same farm as the Adams Tract; development poses an ecological threat; suggested swapping of the Hanna Street property for Hillsborough Road park land; requested more time to talk to surrounding residents; and stated that she had a letter of support from the Friends of Bolin Creek supporting this idea

Alderman Broun stated that she would like to know about the legality of using the Hillsborough Road Park property bought with payment-in-lieu of funds to build the Pacifica project.

Cliff Haac, Milrock Court resident, gave several reasons that the project is too dense. He proposed lower density, Hanna Street enhancement, and limited access from the Adams Tract.

Walt Martin, Bolin Forest Phase II, spoke about the cost of a sidewalk on Hanna Street.

Bob Ross expressed his confusion about a sidewalk on Hanna Street. He does not believe this street is suitable for the expected traffic. He suggested that lowering the density would resolve the problem.

Linda Haac, a resident of Bolin Forest Phase II, spoke about affordability and community. She defined affordable as moderate square footage for a moderate price; thinks square footage cost is high; asked how is affordable housing is tracked; and asked if city services are available for this project.

Amy Piersma, a future Pacifica resident, addressed a *Vision 2020* statement. She stated that she is struck by congruence of Pacifica and *Vision 2020* statements and believes Pacifica is a model for *Vision 2020* implementation.

Stephen Treimel, spoke about property borders. He expressed concern about the lack of buffers, trespassing, parking, noise, headlights, flow of water, and child safety. He showed a proposal for an alternative walkway, screening, and stormwater management plan that would address his concerns. He stated that if Pacific were required to have a public road, he would like the town's permission to encroach upon the public right-of-way in order to provide plantings to serve as the visual buffer.

Mary Walsh, spoke on the three-generation impact of the Pacifica development. She said that she would be able to live near her daughter and grandchild, could live independently, and would be in an environment where she could know her neighbors.

Maria Owens, a Hanna Street homeowner, stated that she is happy about the Pacifica project; does not feel the sidewalk is needed and that wide roads will encourage speeding.

Andrea Treimel, stated that she had met with neighbors about starting a community garden - gardens create opportunities for neighbors to work together.

Joel Bulio, a future Pacifica resident, stated that he is a 15-year bicycle commuter; stated that a survey of future Pacifica residents revealed that 25% of their trips will be made by bicycle; 50% of their trips would be made without the use of an automobile; 93% support alternative transportation and car sharing. He stated that with the residents would be using high-speed Internet for telecommuting at home. This is a unique co-housing opportunity that will not impact traffic

Scott Morningstar, a future Pacifica resident, encouraged the Board to follow through on *Vision 2020*.

Carol Wilburn, a future resident of Pacifica, stated that she would benefit from the Pacifica affordable housing component. She also spoke about access for EZ Rider patrons and a bicycle shed and pedestrian shelter.

Ken Moore thanked the Board for sending notice to adjacent property owners. He stated that he was thrilled about the potential of Pacifica and challenged the Board to continue considering alternative approaches to housing.

Bree Kalb, future Pacifica resident, gave an overview of future resident characteristics and how they came to be. She stated that she was attracted by the project's four core values, and that the ages of residents will range from the 20's to retirement with various occupations.

James Carnahan, stated that he has no financial or professional relationship with Carrboro Collaborative Development Association and does not plan to live there. He spoke about the importance of reversing sprawl and pollution and higher density.

Jim Porto, a resident of Watters Road, stated that he has no problem with cars but he does have a problem with the density. He stated that Mr. Blunden has set the precedent for future developments by selling units first and then have future owners come to Board. He stated that he supports development if there is a way to limit the use of automobiles, and their impact on neighbors. He presented information on 1999 traffic counts for North Greensboro.

David Belline, a member of various housing boards, real estate professional, and future Pacifica resident, expressed concern about the affect on nearby property values – should be rapid appreciation; there will be very little likelihood of absentee rentals to students; easements will discourage trespassing; this neighborhood will be very much like Arcadia that will provide affordable housing.

Steve Rose, a resident of Hanna Street requested that the June 22, August 18 and September 7, 1999 minutes of the Board of Aldermen be made a part of tonight's public hearing. He stated that he is not against infill development or density, or different types of infrastructure. Hanna Street is a very dense and diverse street. He stated that Hanna Street is 20.8 feet with no shoulders and a steep drop on each side with a blind curve with on-street parking. Rollout carts have to be placed on the pavement on garbage pickup days. Two cars cannot pass each other on Hanna Street. He stated that he has seen many near misses with cars and pedestrians, cars and bikes, moving cars and parked cars. The traffic trips will be increased from the current number of 282 trips per day to and estimated 767 trips per day. All of the new trips will be coming from the end of Hanna Street from the Pacifica project. He suggested that the developer be required to construct a driveway from their parking facility to Watters Road to split the traffic. He also suggested that the density be lowered.

Martha Lee, who is on the waiting list for a Pacifica home, stated that this is a community already with conservation and land stewardship at its core.

Brad Rigdon, a resident of 114 Watters Road, stated that Watters Road is not a safe road. He presented a petition from the residents of Watters Road stating concern for the safety of the residents of their neighborhood and the proposed Pacifica development. The petition states that Watters Road for pedestrian and bicycle traffic is not safe; use of the eastern end of Watters Road by bicycles and pedestrians to access Wilson Park and other paths results in trespassing on private property; and a sidewalk needs to be constructed along Hanna Street for the safety of the residents of Hanna Street, Watters Road and Pacifica.

Robert Dowling, Executive Director of Orange Community Housing and Land Trust; stated that he would be pleased to work with Giles Blunden on the affordable housing units. As a Carrboro resident, he spoke about the safety of Hanna Street.

Carolyn Marlon, a Hanna Street resident, stated that affordable housing should not come at the expense of safety; and the Town is not prompt in picking up debris on Hanna Street. She stated that Savannah Scarborough, a resident of 115 Hanna Street, has the same concerns.

David Wohl, a resident of Watters Road, spoke regarding the impact of development on the surrounding forest. He urged that the safety issues of Watters Road to be considered.

Jonathan Fischer, a resident of Watters Road, stated that he lives in fear of the turn on Watters Road and asked future residents of Pacifica to consider other options for their children.

Kevin Weeks requested two changes to the plan: 1) an alternative to handle water runoff; and 2) a different color for building exteriors.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO CONTINUE THIS PUBLIC HEARING ON JUNE 10, 2003. VOTE: AFFIRMATIVE ALL

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**CONTINUATION OF THE PUBLIC HEARING:WINMORE VILLAGE MIXED USE CONDITIONAL USE DISTRICT REZONING AND WINMORE VILLAGE MIXED USE ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT**

The public hearing on the Winmore rezoning and conditional use permit application held on May 27, 2003 was continued to allow time for additional public comment and consideration. A resolution was recommended for the Board's adoption that provides an opportunity for the Board of Aldermen to specify follow-up action and to schedule this item for further consideration on June 24, 2003.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO CONTINUE THIS PUBLIC HEARING AT 6:00 P.M. ON WEDNESDAY, JUNE 4, 2003. THIS MEETING WILL END AT 8:00 P.M. VOTE: AFFIRMATIVE ALL

Mayor Nelson requested that staff contact key community organizers about the Board's action.

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**ORDINANCE REPEALING TOWN CODE PROVISIONS RELATING TO SEVERANCE PAY FOR THE TOWN MANAGER**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO DELETE THE PROVISIONS RELATING TO SEVERANCE PAY FOR THE TOWN MANAGER." VOTE: AFFIRMATIVE ALL

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**ENVIRONMENTAL CONFERENCE**

Mayor Nelson stated that he would be sending a memo to the Board regarding the recent environmental conference that he attended.

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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING TO CLOSED SESSION TO DISCUSS A PERSONNEL MATTER VOTE: AFFIRMATIVE ALL

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**APPOINTMENT OF A NEW TOWN MANAGER**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPOINT STEVEN E. STEWART AS THE TOWN'S NEW TOWN MANAGER, AND THAT MAYOR NELSON BE AUTHORIZED TO ENTER INTO A CONTRACT WITH MR. STEWART. VOTE: AFFIRMATIVE ALL

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MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 12:02 A.M. VOTE: AFFIRMATIVE ALL.

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Mayor

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Deputy Town Clerk