

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 7, 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
Town Manager	Steven E. Stewart
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

CONSTRUCTION TRAFFIC IN BARINGTON HILLS

Stephanie Padilla, a resident of 103 Autumn Drive, stated the Autumn Drive connector road is currently under construction and that construction traffic is traveling through the Barington Hills Subdivision. She asked that signs be erected at the entrances to Barington Hills (Barington Hills Road and Bruton Drive) indicating that construction traffic is not allowed through the Barington Hills Subdivision.

Mayor Nelson asked that the town staff investigate this matter, contact the contractor, and prepare a report on this matter.

It was the consensus of the Board that the town staff erect the signs at the Barington Hills Subdivision entrances.

PRESENTATION ON THE TRIANGLE FAMILY OF COMMUNITIES

Virginia Knapp, Associate Director of the Chapel Hill-Carrboro Chamber of Commerce, presented a Carrboro Triangle Family of Communities flag to the Board on behalf of the Triangle Communities,.

DEDICATION OF DOG FENCE

Mayor Nelson stated that the dedication of the Anderson Pak dog fence was held on October 6th and was well attended. He thanked the members of the Carrboro Park Group for all their hard work to raise the funds to construct this fence.

BREAST CANCER AWARENESS MONTH

Alderman Broun announced that October is Breast Cancer Awareness Month and urged all women over 40 to have a mammogram.

PROCLAMATIONS ISSUED

Mayor Nelson read proclamations proclaiming:

- 1. October as National Disabilities Freedom Month
- 2. October as Domestic Violence Awareness Month
- 3. October 5-11 as Fire Prevention Week

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE SEPTEMBER 16, 2003 MINUTES, AS AMENDED. VOTE: AFFIRMATIVE ALL

ACTIVE PROJECTS REPORT

The Zoning Division of the Town of Carrboro is responsible for preparing a monthly report outlining the construction activities of various projects of interest within the Town of Carrboro’s jurisdiction. The report for the period of August 16 – September 15, 2003 was presented.

A REQUEST TO MAKE AN APPOINTMENT TO THE ORANGE COUNTY HUMAN RELATIONS COMMISSION

The purpose of this agenda item was for the Mayor and Board of Aldermen to consider recommending that Ms. Josephine Harris be appointed as one of the Town of Carrboro’s representatives on the Orange County Human Relations Commission.

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

A RESOLUTION RECOMMENDING AN APPOINTMENT
 TO THE ORANGE COUNTY HUMAN RELATIONS COMMISSION
 Resolution No. 30/2003-04

WHEREAS, the Town of Carrboro has two seats on the Orange County Human Relations Commission; and

WHEREAS, one of these seats is currently vacant; and

WHEREAS, Josephine Harris has submitted an application expressing interest in serving as a Carrboro representative on the Orange County Human Relations Commission.

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

Section 1. The Mayor and Board of Aldermen hereby recommend that Ms. Josephine Harris be appointed as a Carrboro representative on the Orange County Human Relations Commission. If appointed, Ms. Harris' term would expire in June 2004.

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 7th day of October, 2003:

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

Noes: None

Absent or Excused: None

A REQUEST TO MAKE AN APPOINTMENT TO THE ORANGE COUNTY SOLID WASTE ADVISORY BOARD

The Mayor and Board of Aldermen were requested to consider recommending to the Orange County Board of Commissioners that Mr. Albert Vickers be appointed as one of the Town of Carrboro's representatives on the Orange County Solid Waste Advisory Board.

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

**A RESOLUTION RECOMMENDING AN APPOINTMENT TO THE
ORANGE COUNTY SOLID WASTE ADVISORY BOARD
Resolution No. 31/2003-04**

WHEREAS, the Town of Carrboro has two seats on the Orange County Solid Waste Advisory Board; and

WHEREAS, Mr. Bill Rehm currently serves in one of these seats; and

WHEREAS, the Town has one vacant seat whose term expires on June 30, 2006; and

WHEREAS, the vacant position has been advertised and Mr. Albert Vickers has submitted an application.

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

Section 1. The Mayor and Board of Aldermen hereby recommend that the Orange County Board of Commissioners appoint Mr. Albert Vickers to serve as one of the Town of Carrboro's representatives on the Orange County Solid Waste Advisory Board.

Section 2. Mr. Vickers' term will expire on June 30, 2006.

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 7th day of October, 2003:

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

Noes: None

Absent or Excused: None

A REQUEST TO SET A PUBLIC HEARING: OWENS RESEARCH LABORATORY CONDITIONAL USE PERMIT

The University of North Carolina at Chapel Hill (UNC) has submitted an application for a one-time expansion of a nonconforming use of their research facilities located at 350 South Old Fayetteville Road. Per Section 15-124(g)(6) of the Town of Carrboro Land Use Ordinance (LUO), the applicant must receive a Conditional Use Permit (CUP) to construct the one-time expansion. Prior to reaching a decision on a request for a CUP, the Board must hold a public hearing to receive input. The Administration recommended that the Board set a public hearing for October 21, 2003 for consideration of the conditional use permit request.

Tim Nichols, Director of the Frances Owens Research Laboratory, answered the Board's question regarding the type of research at the blood lab.

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 CONDITIONAL USE PERMIT
REQUEST FOR THE OWEN RESEARCH LABORATORY EXPANSION PROJECT
LOCATED AT 350 SOUTH OLD FAYETTEVILLE ROAD
Resolution No. 32/2003-04**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed conditional use permit projects; and

WHEREAS, an application has been received for a conditional use permit for the Owen Research Laboratory Expansion project located at 350 South Old Fayetteville Road.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on October 21, 2003 to consider the conditional use permit request for the Owen Research Laboratory Expansion project.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of October, 2003:

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

Noes: None

Absent or Excused: None

PRESENTATION OF THE QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING JUNE 30, 2003

The purpose of this item was to present to the Mayor and Board of Aldermen the financial report for the quarter ending June 30, 2003.

A REQUEST TO APPROVE A BUDGET ORDINANCE

The purpose of this agenda item was to amend the FY03-04 fiscal year budget to appropriate \$17,470 in grant revenue reserved for the Police Department. This amount represents the portion of the Local Law Enforcement Block Grant that remained unexpended in FY02-03. At year-end, these revenues are reserved and then appropriated in the new fiscal year.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2003-04 BUDGET ORDINANCE".
VOTE: AFFIRMATIVE ALL

A REQUEST TO APPROVE A BUDGET ORDINANCE

The Board of Aldermen, at its regular meeting of September 16, 2003, approved a motion to appropriate \$5,000 in fund balance to provide an operational budget for the Bond Education Committee. The purpose of this agenda item was to approve a budget ordinance appropriating the budgeted funds as required by law.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2003-04 BUDGET ORDINANCE".
VOTE: AFFIRMATIVE ALL

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH NCDOT TO PERFORM BRIDGE INSPECTIONS

The Town has requested NCDOT or a consultant retained by the Department to re-inspect and analyze all public bridges located on our Municipal Street System in compliance with the NBIS. The Town has one bridge located on Lake Hogan Farm Road. The administration requested that the Mayor and Board of Aldermen adopt a resolution authorizing the Town Manager to enter into an agreement with NCDOT to perform the bridge inspections.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO
A MUNICIPAL AGREEMENT WITH NCDOT
TO PERFORM BRIDGE INSPECTIONS
Resolution No. 34/2003-04

WHEREAS, the Town of Carrboro has requested the Department of Transportation to perform certain work under the Federal-Aid Highway Bridge Replacement Program. This work to consist of the re-inspection and analysis of all public bridges on the Municipal Street System in the Town of Carrboro; and

WHEREAS, the Town of Carrboro proposes to enter into an agreement with the North Carolina Department of Transportation for said work wherein the Department of Transportation or a Consulting Engineering firm retained by the Department of Transportation will re-inspect and prepare the necessary reports for all public bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards; and

WHEREAS, under the proposed agreement the Federal Highway Administration shall reimburse the Department of Transportation for eighty (80) percent of the cost of the work subject to compliance with all applicable federal policy and procedural rules and regulations; and

WHEREAS, under the proposed agreement the Town of Carrboro shall reimburse the Department of Transportation for all costs of the work incurred by the Department of Transportation not paid by the Federal Highway Administration,

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

Section 1. That the agreement for the hereinabove referenced bridge inspection work is hereby formally approved by the Town of Carrboro and the Town Manager and Town Clerk of this municipality are hereby empowered to sign and execute the required agreement between the Town of Carrboro and the Department of Transportation.

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 7th day of October, 2003:

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

Noes: None

Absent or Excused: None

A REQUEST TO MAKE APPOINTMENTS TO THE SIDEWALKS AND GREENWAYS BOND EDUCATION COMMITTEE

At the September 2, 2003 Board of Aldermen meeting, the Board adopted the Sidewalks and Greenways Bond Order and a resolution setting the referendum date for November 4 when town residents will vote on the ballot question. The Board established the Sidewalks and Greenways Bond Education Committee on September 16 to assist the Board by presenting relevant, objective information to the public. The purpose of this item was to request that the Board of Aldermen make additional appointments to the Committee.

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

**A RESOLUTION MAKING APPOINTMENTS TO THE
SIDEWALKS AND GREENWAYS BOND EDUCATION COMMITTEE
Resolution No. 36/2003-04**

WHEREAS, the Board of Aldermen has adopted the Sidewalks and Greenways Bond Order and a resolution setting the referendum date for November 4 when town residents will vote on the ballot question; and

WHEREAS, the Sidewalks and Greenways Bond Education Committee will assist the Board by presenting relevant, objective information to the public; and

WHEREAS, the Board has recruited Carrboro residents to serve on the Committee.

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

Section 1. That Salli Benedict, Richard Ellington, and Allen Spalt are appointed to the Sidewalks and Greenways Bond Education Committee.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of October, 2003:

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

Noes: None

Absent or Excused: None

PRESENTATION ON OWASA INITIATIVES

Bernadette Pelissier, Chair of the OWASA Board of Directors, made a presentation on OWASA initiatives: year-round water conservation, evaluation of water conservation management practices, continue to keep the 50-Year Comprehensive Water and Sewer Master Plan up-to-date, water reuse and upgrade of Mason Farm Wastewater Treatment Plant.

Ed Kerwin commented on the possibility of using reclaimed water at Carolina North.

Alderman Broun asked that the Board representatives on the Carolina North Committee continue to encourage the University to use reclaimed water at Carolina North.

Alderman Gist requested that the Board consider requiring large developments to contain a wastewater reuse substation.

The Board requested a staff report on the possibility of requiring developments to have satellite wastewater reuse substations.

DRAFT 2004-2010 STATE TRANSPORTATION IMPROVEMENT PROGRAM

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization has initiated the preparation of the 2006-2012 Transportation Improvement Program (TIP). At the beginning of this process, local governments are requested to provide a local priority list of projects. The Board was requested to begin its consideration of a local priority list and set a public hearing for October 21 2003.

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

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

A RESOLUTION RECEIVING THE REPORT ON THE 2006-2012 TIP LOCAL PRIORITY LIST
AND SETTING A PUBLIC HEARING FOR OCTOBER 21, 2003
Resolution No. 29/2003-04

WHEREAS, the Town of Carrboro participates in the development of the 2006-2012 Transportation Improvement Program (TIP) as a member of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization; and

WHEREAS, the Transportation Advisory Board has reviewed transportation needs in Carrboro and recommended a local priority list for adoption by the Board of Aldermen.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen have reviewed the report on the local priority list for the 2006-2012 TIP.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that a public hearing on the 2006-2012 TIP local priority list is set for October 21, 2003.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of October, 2003:

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

Noes: None

Absent or Excused: None

REPORT: CONTROL OF RESIDENTIAL TEARDOWN AND REBUILDING ACTIVITIES

The Board of Aldermen's 2003 Action Agenda Project List includes developing an ordinance to control tearing down and rebuilding of residential units where small homes are replaced with considerably larger structures. An overview of this matter was included in this report.

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

Alderman Herrera asked if surrounding communities have similar ordinances.

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION SETTING A PUBLIC HEARING FOR REVIEW OF THE DRAFT ORDINANCE
THAT REVISES THE PERMIT REQUIREMENTS FOR CERTAIN NEW AND
ALTERED SINGLE-FAMILY RESIDENCES
Resolution No. 38/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review and revise policies and regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen set a public hearing for November 18, 2003 for the receipt of public comment on

“AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE THAT A SPECIAL USE PERMIT, RATHER THAN A ZONING PERMIT, MAY BE REQUIRED IN CERTAIN ZONING DISTRICTS FOR PROJECTS INVOLVING THE CONSTRUCTION OF LARGE ADDITIONS TO EXISTING RESIDENTIAL STRUCTURES OR THE CONSTRUCTION OF LARGE RESIDENTIAL STRUCTURES ON LOTS WHERE RESIDENCES ALREADY EXIST OR FROM WHICH RESIDENCES HAVE RECENTLY BEEN REMOVED,” and

BE IT FURTHER RESOLVED, that the Board of Aldermen refers the draft ordinance to the Planning Board, Appearance Commission, and Orange County for review.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of October, 2003:

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

Noes: None

Absent or Excused: None

CONSTRUCTION OF NEW HIGH SCHOOL

Mayor Nelson requested that the Town Manager schedule a Board discussion about the new high school to be located in Carrboro’s jurisdiction.

MPO MERGER

Alderman Zaffron informed the Board of the possibility of the merger of the MPO of DCHC and CAMPO. He suggested that the Board receive a staff report on the implications of this possible merger in the near future.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 9:00 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk