

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 28, 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
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:

Alderman	Mark Dorosin
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APPROVAL OF MINUTES OF PREVIOUS MEETING: OCTOBER 21, 2003

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

PRESENTATION OF QUARTERLY CENTURY CENTER, PERSONNEL, AND FINANCIAL QUARTERLY REPORTS

The purpose of this item was to present to the Mayor and Board of Aldermen Century Center, personnel, and financial quarterly reports for the period ending September 30, 2003.

A REQUEST TO SET THE DATES FOR THE 2004 BOARD OF ALDERMEN PLANNING RETREAT

Each year, the Board of Aldermen conducts a retreat to develop goals and to set the direction in which it would like to lead the Town. The purpose of this item was to request that the Board of Aldermen approve the 2004 Board of Aldermen planning retreat dates.

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

A RESOLUTION ESTABLISHING THE 2004 PLANNING RETREAT DATES
Resolution No. 57/2003-04

BE IT RESOLVED that the Board of Aldermen will hold its annual planning retreats on Sunday, December 7, and February 15 and 16, 2004 at the Carrboro Century Center.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of October, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

MID-SEPTEMBER TO MID-OCTOBER 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 September 16, 2003 through October 15, 2003 was presented.

REQUEST FOR ENDORSEMENT OF THE ORANGE COMMUNITY HOUSING AND LAND TRUST ORGANIZATIONAL TENETS

The purpose of this item was to share with and get the endorsement of the Carrboro Board of Aldermen on the new mission statement, guiding principals, and organizational goals for the Orange Community Housing and Land Trust.

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

A RESOLUTION ENDORSING THE ORANGE COMMUNITY HOUSING AND LAND TRUST NEW MISSION STATEMENT, GUIDING PRINCIPLES, AND ORGANIZATIONAL GOALS
Resolution No. 58/2003-04

WHEREAS, the Orange Community Housing and Land Trust receives an annual allocation of funds in the amount \$20,000 from the Town of Carrboro to assist with the provision of affordable housing in Carrboro; and

WHEREAS; the Town of Carrboro was instrumental in establishing the Orange Community Housing and Land Trust; and

WHEREAS, the Town has a representative on the Orange Community Housing and Land Trust Board of Directors.

NOW THEREFORE BE IT RESOLVED that the Board approves of the newly developed mission statement, guiding principles and goals for the Orange Community Housing and Land Trust.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of October, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

REPORT FROM THE HORACE WILLIAMS COMMITTEE

The purpose of this item was for the Board of Aldermen to receive a report from the Horace Williams Committee regarding the University of North Carolina's plans for the future use of the Horace Williams tract currently referred to as Carolina North. A member of the committee, Mr. Rich Bell presented the report.

Alderman McDuffee stated that re-use of water would be addressed by the Committee in the addendum.

Alderman Broun asked that the ratio of housing to other uses, other educational facilities and housing for lower-salaried employees be addressed in the addendum.

Alderman Gist requested that the committee discuss whether Carolina North would be paying school impact fees and whether Carolina North would be paying hookup fees.

Alderman Zaffron asked that the final document include a principle that the University will provide housing for its staff and students.

The following resolution was introduced by Alderman John Herrera and seconded by Alderman Joal Hall Broun.

A RESOLUTION ACCEPTING THE REPORT AND RECOMMENDATIONS FROM THE HORACE WILLIAMS ADVISORY COMMITTEE Resolution No. 49/2003-04

WHEREAS, the Carrboro Board of Aldermen established the Horace Williams Advisory Committee on February 11, 2003;

WHEREAS, the Carrboro Board of Aldermen charged the committee to define and advocate for Carrboro's interests and objectives with regard to any plans proposed for the development of the Horace Williams property (Carolina North);

WHEREAS, the Horace Williams Advisory Committee after meeting over the last three and a half months has completed a report in keeping with its charge;

WHEREAS, the Horace Williams Advisory Committee recommends that the next steps include:

1. Setting up a public comment session as soon as possible (November 11, 2003 suggested);
2. Charge the committee with creating an addendum to the report that is more detailed specifically with regard to water reuse, construction methods, sustainability issues and etc.;
3. Charge the committee with reviewing the draft plan for Carolina North after it is released by UNC and providing input back to the Board of Aldermen.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board will hold a public comment session on the Report submitted by the Horace Williams Advisory Committee on Tuesday, November 11, 2003 at 7:30 p.m. in the Board Room, Town Hall, 301 West Main Street to obtain public input and comment.

BE IT FURTHER RESOLVED that the Horace Williams Advisory Committee is charged with creating an addendum to the report that considers public comment and is more detailed specifically with regard to water reuse, construction methods, sustainability issues, etc.

BE IT FURTHER RESOLVED that the Horace Williams Advisory Committee is charged with reviewing the draft plan for Carolina North after it is released by UNC and providing input back to the Board of Aldermen

BE IT FURTHER RESOLVED that the Board expresses its appreciation to the Horace Williams Advisory Committee members for their dedication and effort put into the development of the Report.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of October, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

REPORT ON GREENWAY AND OPEN SPACE POLICIES

The 2003 Action Agenda Project list includes the task “Greenway Plan Update.” A report on this matter was presented to the Board of Aldermen. A resolution accepting the report was recommended for the Board’s adoption.

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

David Burton, with the Friends of Bolin Creek, asked that the Friends of Bolin Creek be given an opportunity to participate in the preparation of greenway and open space policies.

Alderman Herrera requested that the staff investigate whether the Recreation and Parks Master Plan should include plans for greenways and open space.

Mr. Stewart presented a list of “Next Steps” for this project.

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

A RESOLUTION ACCEPTING THE STAFF REPORT ON GREENWAYS Resolution No. 56/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations are appropriate;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accepts this report and requested the following:

- ❑ That a timeline for “Next Steps” be brought back to the Board, to include suggestions on how to involve the public;
- ❑ That the town staff investigate whether the Orange County Legacy Office would be willing to work with the town in preparing a master plan for the Morgan Creek Greenway;
- ❑ That the timeline include a plan for working with UNC to begin acquisition of land around Bolin Creek
- ❑ That the Friends of Bolin Creek and mountain bike group be included in the master planning process.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of October, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

FOLLOW-UP REPORT: EDUCATIONAL AND ENFORCEMENT STRATEGIES RELATED TO A TENANT BILL OF RIGHTS AND LANDLORD LICENSING

The Board of Aldermen reviewed a report on a Tenant's Bill of Rights and landlord licensing on September 16th and specified several additional activities. A report on this matter was provided for the Board's review. A resolution that confirms the next steps was recommended for the Board's adoption.

Alderman Broun suggested that the Town partner with the following organizations in the educational process: El Centro Latino, NAACP, Empowerment, Orange Community Housing and Land Trust, and Orange County Human Relations Commission. In addition, that the brochure include information that the UNC Law Clinic or Legal Aid are available to assist residents with problems.

Alderman Herrera suggested that the education sessions be held in March or April rather than in January.

Alderman Gist suggested that a flyer be produced indicating that residents have a right to be safely warm and that these flyers be placed on buses, in laundry mats, in barber shops. She also requested that the countywide task force on substandard housing be undertaken as soon as possible.

Bob Kirshner suggested that a document be available for residents to at the time of leasing indicating that they have read a statement of their rights as a tenant. He spoke against creating a new position to enforce this program.

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

A RESOLUTION CONFIRMING THE NEXT STEPS RELATED TO
ACTIVITIES ON HOUSING RIGHTS AND RESPONSIBILITIES
Resolution No. 48/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations are responsive to community needs; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accepts the staff report presented on October 28, 2003, reiterates its desire that staff proceed with the preparation of revisions to the Housing Code, specifies that action on other elements will be scheduled following the conclusion of the efforts of the county-wide task force on substandard housing, and approves the "right to be safely warm" campaign.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of October, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

FOLLOW-UP ON BUILDING HEIGHTS AMENDMENTS IN COMMERCIAL ZONING DISTRICTS

Land Use Ordinance text amendments related to building heights, active recreational facilities and sidewalk widths in the downtown were adopted on April 8, 2003. Follow-up action on related issues was specified, The Administration recommended that the Board of Aldermen adopt a resolution receiving this report.

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

**A RESOLUTION ACCEPTING THE STAFF REPORT ON FOLLOW-UP TO ADOPTION OF THE
BUILDING HEIGHTS ORDINANCE PROVISIONS
Resolution No. 51/2003-04**

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

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen receive and accept the staff reports on this matter and ask that the Town staff bring back to the Board information on what an overlay zone would entail and areas to be included in an overlay zone.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of October, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

**AN ORDINANCE AMENDING THE PERSONNEL ORDINANCE ON DISCIPLINARY HEARINGS
AND SUSPENSION WITHOUT PAY OF EXEMPT EMPLOYEES**

The purpose of this item was for the Board to consider the adoption of amendments to the Personnel Ordinance that would clarify the manager's discretion to close disciplinary appeal hearings when necessary to protect the personnel privacy rights of employees and to clarify that employees who are exempt from the overtime provisions of the Fair Labor Standards Act generally may not be suspended without pay for a period less than an entire workweek.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE (PERSONNEL POLICIES) TO CLARIFY THAT THE MANAGER HAS THE DISCRETION TO CLOSE DISCIPLINARY APPEAL HEARINGS TO PROTECT THE PRIVACY RIGHTS OF EMPLOYEES AND TO CLARIFY THAT EMPLOYEES WHO ARE EMEMPT FROM THE OVERTIME PROVISIONS OF THE FAIR LABOR STANDARDS ACT ARE NOT GENERALLY SUBJECT TO DISCIPLINARY SUSPENSIONS WITHOUT PAY OF LESS THAN ONE WORK WEEK." VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

TREE HARVESTING IN THE WATERSHED

Mayor Nelson requested that the Board schedule a discussion of whether to allow tree harvesting in the watershed.

SIGNS AT ANDERSON PARK

Alderman Broun requested that the Spanish versions of directional signs at Anderson Park be consistent with the English versions.

DISCUSSION OF CHAPEL HILL'S VERSION OF SMALL HOUSE ORDINANCE

Alderman Zaffron requested that the Board discuss Chapel Hill's version of the small house ordinance.

ENFORCEMENT OF RED LIGHT RUNNERS

Alderman Gist requested that the Police Department step up enforcement of red light runners.

REQUEST FOR REPORT ON RAILROAD CROSSING ON ESTES DRIVE

Alderman Broun requested a report on the railroad crossing arms that were malfunctioning last weekend.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 9:50 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

Mayor

Town Clerk