A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 24, 2004 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:	
Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Chilton
	Jacquelyn Gist
	John Herrera
	Diana McDuffee
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

REQUEST FOR FUNDING

Nerys Levy, Project Director for the Community Dinner, requested that the Board of Aldermen consider contributing \$500.00 toward the 2005 Community Dinner. Ms. Levy also thanked the town for its past contributions.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE FEBRUARY 3 AND 10, 2004 MINUTES. VOTE: AFFIRMATIVE ALL

<u>REQUEST TO WAIVE THE BIDDING PROCESS FOR ENGINEERING SERVICES RELATED TO</u> <u>THE SIDEWALK BOND PROGRAM</u>

The purpose of this item was for the Board of Aldermen to approve a resolution under the general statues, more specifically Article 3D; Chapter 143, that allows the Town to select an engineering firm without using the bidding process.

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

A RESOLUTION WAIVING THE BIDDING PROCESS FOR THE SIDEWALK BOND PROGRAM PROJECT Resolution No. 112/2003-04

WHEREAS, the Town of Carrboro needs to select an engineering firm to perform engineering services for the Sidewalk Bond Program; and

WHEREAS, Article 3D; Chapter 143 of the general statutes allows the Town to select an engineering firm without using the bidding process; and

WHEREAS, Sungate Design Group of Raleigh, N.C. has a considerable amount of topographical and stormwater historical data on the Town's streets; and

WHEREAS, Town staff feels that it will be more time and cost effective for the Town to waive the bidding process for engineering services for the Sidewalk Bond Program

NOW, THEREFORE, the Carrboro Board of Aldermen hereby resolves:

Section 1. That the bidding process for selecting an engineering firm for the Sidewalk Bond Program Project be waived.

Section 2. That the town staff be directed to negotiate a contract with Sungate Design Group of Raleigh, N.C. to perform all engineering associated with the Sidewalk Bond Program Project.

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 24th day of February, 2004:

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

Noes: None

Absent or Excused: None

REQUEST TO RESET THE PUBLIC HEARING FOR THE CORPORATE OFFICE ADDITION TO THE CARRBORO COMMUNITY HEALTH CENTER CONDITIONAL USE PERMIT MINOR <u>MODIFICATION</u>

Michael Hammersly, on behalf of Piedmont Health Services Incorporated, has submitted an application for a minor modification to an existing Conditional Use Permit (CUP) to allow the addition of a corporate office to the existing building located at 401 Lloyd Street. Pursuant to Section 15-64(b) of the Town of Carrboro Land Use Ordinance, a minor modification to a CUP is permissible with the approval of the permit-issuing authority (Board of Aldermen). On September 16, 2003, the Board of Aldermen directed staff to expedite the review of the application and to call a public hearing when the project was to come before the Board for review. Because of the Board's request for expedition, staff is recommending that a public hearing be held on a night now normally reserved for worksessions. Specifically, the Administration recommended that the Board set a public hearing for March 9, 2004 for consideration of the conditional use permit minor modification request.

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

A RESOLUTION CALLING A PUBLIC HEARING ON THE CONDITIONAL USE PERMIT MINOR MODIFICATION REQUEST FOR THE CORPORATE OFFICE ADDITION TO THE CARRBORO COMMUNITY HEALTH CENTER LOCATED AT 401 LLOYD STREET Resolution No. 118/2003-04

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 minor modification for a corporate office addition to the Carrboro Community Health Center project located at 401 Lloyd Street.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on March 9, 2004 to consider the conditional use permit minor modification request for the corporate office addition to the Carrboro Community Health Center project.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of February, 2004:

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

Noes: None

Absent or Excused: None

BUDGET AMENDMENT: FUNDING FOR AFFORDABLE RENTALS, INC.

The Board at its regular meeting on February 3, 2004, approved a request for funding from Affordable Rentals, Inc. for one-time funding of \$1,360. A budget amendment is required to transfer these funds from contingency to the Governance Support budget.

MOTION WAS MADE BY MARK CHILTON AND SECONDED BY JOAL HALL BROUN TO EXCUSE ALDERMAN CHILTON FROM VOTING ON THIS MATTER BECAUSE OF HIS ASSOCIATION WITH AFFORDABLE RENTALS, INC. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2003-04 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, EXCUSED ONE (CHILTON)

REQUEST TO SET A PUBLIC HEARING TO CONSIDER A LAND USE ORDINANCE TEXT AMENDMENT THAT MODIFIES SIZE LIMIT REQUIREMENTS TO PROVIDE FOR AFFORDABLE HOUSING AND PAYMENTS-IN-LIEU

On December 9, 2003, the Board of Aldermen requested that staff prepare several ordinance amendments related to the small house ordinance requirements. A resolution was provided for the Board's adoption.

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

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

A RESOLUTION ADOPTING A POLICY STATEMENT ENDODRSING THE INCLUSION OF 15 PERCENT AFFORDABLE DWELLING UNITS IN ALL RESDIENTIAL DEVELOPMENTS AND CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT TO MODIFY SIZE-LIMITED REQUIREMENTS TO PROMOTE AFFORDABLE HOUSING Resolution No. 115/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen adopt the following amendment that adds a new subsection to Carrboro Vision2020: Policies through the Year 2020 to endorse the provision of affordable housing units within all residential developments:

6.18 A minimum of 15 percent of the residential units in any residential development should meet the affordability criteria specified in Section 15-182.4 of the Carrboro Land Use Ordinance.

BE IT FURTHER RESOLVED that the Board of Aldermen call a public hearing on March 23, 2004 to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance Requirements to Mandate the Construction of Some Smaller Single-Family Homes and to Promote Affordable Housing."

BE IT FURTHER RESOLVED that the draft amendment is referred to Orange County for review per the Joint Planning Agreement and to the Planning Board for its recommendations.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of February, 2004:

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

Noes: None

Absent or Excused: None

REPORT: OVERLAY ZONES

On October 28, 2003, the Board of Aldermen received a report in follow-up to the adoption of amendments revising the downtown building heights provisions and requested a report on the use of an overlay zone in the downtown and a description of areas to be included in an overlay zone. The Administration recommended that the Board of Aldermen adopt a resolution accepting this report and specify any other actions as desired.

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

Alderman Broun requested information on the number of nonconforming situations in existence.

The Board delayed discussion of this item until March 2, 2004.

REQUEST TO RENAME NC 54 BYPASS

Alderman Chilton requested that the Mayor and Board of Aldermen consider requesting the Town of Chapel Hill rename Martin Luther King Street in Chapel Hill in order that the Towns of Chapel Hill and Carrboro may designate NC Highway 54 Bypass from South Columbia Street to Old Fayetteville Road as Martin Luther King Boulevard.

Alderman Chilton requested that this matter be delayed in light of Chapel Hill's consideration of naming Airport Road in honor of Rev. King and that the Board might consider naming N.C. 54 after another civil rights leader.

Roy Williford stated that there would be approximately 1,500 people affected by a change in the name of the portion of NC Highway 54 Bypass under consideration. Carrboro Board of Aldermen Page 4

Mr. Stewart stated that the town staff had contacted the Carrboro and Chapel Hill Post Offices concerning whether residents would have to change their addresses if the name of the road was changed. The response from both post offices was that they would deliver mail to the old street name for one year, but mail delivery would be discontinued after that year.

Alderman Gist suggested that something in town other than a road be named in honor of Rev. King.

Mayor Nelson suggested that Pauli Murray be honored.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK CHILTON TO ESTABLISH A SUBMCOMMITTEE OF THE BOARD (ALDERMEN GIST, CHILTON AND HERRERA) BE FORMED TO DISCUSS NAMING A ROAD OR OTHER FACILITY IN HONOR OF A CIVIL RIGHTS LEADER. VOTE: AFFIRMATIVE ALL

PLANNING BOARD RECOMMENDATION TO MODIFY THE DENSITY AND LOT SIZE REQUIREMENTS FOR ESIDENTIAL DEVELOPMENT IN THE B-1(G) ZONING DISTRICT

Alderman Zaffron requested that the town staff schedule a Board discussion of this matter.

The Board requested that this matter be scheduled for Board discussion.

FOLLOW UP TO MEETING WITH DEVELOPMENT COMMUNITY ON DEVELOPMENT OBSTACLES

Alderman Gist requested a status report on staff follow up to the meeting with the development community on development obstacles. In addition, she requested that a meeting of the steering committee be set for mid-March.

STATUS OF APPOINTMENTS TO COUNTYWIDE COMMITTEE TO DISCUSS SUBSTANDARD HOUSING

Alderman Gist requested that Mayor Nelson contact Mayor Foy and the Chair of the County Commissioners to determine the status of appointments to the county-wide committee to discuss substandard housing.

REQUEST FOR REPORT ON RECENT SEXUAL ASSAULTS

Alderman Herrera requested a status report on the investigation of the recent sexual assaults.

<u>REQUEST FOR STATUS REPORT ON RESOLUTION OF LOITERING IN THE VICINITY OF</u> <u>DAVIE ROAD AT JONES FERRY ROAD</u>

Alderman Herrera requested a status report on this matter.

TOPICS FOR ASSEMBLY OF GOVERNMENTS MEETING

Alderman Broun requested that a follow up report from the Orange County Economic Development Summit be scheduled for the April Assembly of Governments meeting.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION AT 9:07 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk