

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 16, 2004 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent:

Mayor	Michael Nelson
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**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROVE THE MARCH 2 AND 9, 2004 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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**REQUEST TO ADOPT A BUDGET AMENDMENT**

The Board of Aldermen, at its regular meeting of January 13, 2004, awarded a contract for \$75,000 to conduct a downtown traffic circulation study for the Town. A budget amendment was needed to appropriate funds for the study. The Town has received funding for the study totaling \$65,000 and the Board had set aside \$10,000 in the Capital Reserve Fund as a local match.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2003-04 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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**ISSUANCE OF CHARGES TO NEW ADVISORY BOARD APPOINTEES**

The Town Clerk issued charges to the following new advisory board appointees:

Adena Messinger – Transportation Advisory Board  
Ruffin Slater – Downtown Development Commission

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**PUBLIC COMMENT ON THE ADAMS PROPERTY**

In late 2001, the Board of Aldermen initiated several measures to seek public purchase and preservation of the Adams' property. Staff is in the process of preparing an application for Land and Water Conservation grant

funds made available from the U.S. Department of the Interior. While the possible purchase has been noted in numerous public discussions, this meeting provided the first, formal, public comment session.

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

Marty Mandell, a resident of Pine Street, stated that this property should be preserved. She said that there have been serious threats in the past to this property. It is essential that the property be preserved in perpetuity.

Steve Rose, a resident of Hanna Street, stated that this property is the most pristine piece of property in town. It is essential that the town acquire this property and that it be preserved. It should be left as undisturbed as possible. The creek bank needs to be rebuilt. The number of trails should be small, with accommodation for bicyclists. Parking should be as limited as possible, with some accommodation for handicapped individuals. If the town cannot purchase the property, then the town should exercise its power of eminent domain.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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

A RESOLUTION APPROVING THE APPLICATION AND AVAILABILITY OF  
LOCAL MATCH FOR ADAMS TRACT ACQUISITION BY  
THE TOWN OF CARRBORO  
Resolution No. 133/2003-04

WHEREAS, the Land and Water Conservation Fund Act of 1965, as amended, provides for the making of grants by the National Park Service, U.S. Department of the Interior, to States and to local governments in support of outdoor recreation projects, and such funds are available after approval of the appropriate state agency and the Department of the Interior; and

WHEREAS, adopted procedures by the State of North Carolina and the National Park Service require the applicant to certify by resolution the approval of applications, signature authorization, and the availability of local matching funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN, hereby:

- (1) Approves the filing of an application for the Land and Water Conservation Fund program to the National Park Service, U.S. Department of the Interior, through the State of North Carolina, for acquisition of the Adams Tract; and
- (2) Certifies that the Town of Carrboro and Orange County have budgeted or currently have available its 50% share of the proposed total project funds in the amount of \$250,000 and will allocate these funds toward this project upon project approval by the State and National Park Service; and
- (3) Agrees to comply with all appropriate state and federal regulations, policies, guidelines, and requirements as they relate to the application and the Land and Water Conservation Fund program; and
- (4) Certifies no property acquired and/or developed under this project, without the approval of the U.S. Secretary of the Interior, be converted to non-public outdoor recreation uses. And, such approval may be granted only if it is in accord with the existing Statewide Comprehensive

Outdoor Recreation Plan (SCORP), and only fair market value and reasonably equivalent usefulness and location; and

- (5) Certifies the information contained in the application is based on the most accurate data available and is correct.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of March, 2004:

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

Noes: None

Absent or Excused: Michael Nelson

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

A RESOLUTION SPECIFYING NEXT STEPS RELATED THE RECEIPT OF PUBLIC COMMENT  
ON PURCHASE OF THE ADAMS PROPERTY  
Resolution No. 131/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that the public has an opportunity to provide input related to the possible acquisition of property for public use.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen requests the following follow-up actions:

- 1) That the town staff work with the Recreation Commission and mountain bike organization to provide accommodations for bicyclists and handicapped individuals.
- 2) That an inventory of the creek bed be performed.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of March, 2004:

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

Noes: None

Absent or Excused: Michael Nelson

Alderman Herrera thanked the Mayor and town staff for their work on this matter.

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**A REQUEST TO ADOPT A RESOLUTION RE-AFFIRMING ORANGE COUNTY'S 10-YEAR SOLID WASTE MANAGEMENT PLAN AND AUTHORIZING THE COUNTY MANAGER TO SUBMIT THE SOLID WASTE PLAN TO THE STATE**

The purpose of this item is for the Board of Aldermen to approve a resolution that supports Orange County's Ten-Year Solid Waste Management Plan and would authorize Orange County to submit this plan to the State.

Blair Pollock, Solid Waste Planner for Orange County gave a brief overview of the County's 10-year Solid Waste plan update.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION RE-AFFIRMING ORANGE COUNTY'S 10-YEAR SOLID WASTE  
MANAGEMENT PLAN, INCLUDING A 61 PERCENT WASTE REDUCTION GOAL AND  
AUTHORIZING ORANGE COUNTY TO SUBMIT THE SOLID WASTE PLAN TO THE STATE  
Resolution No. 126/2003-04

WHEREAS, Orange County adopted in 1997 a general waste reduction plan framework as part of its overall solid waste goals and adopted specific waste reduction goals of 45% per capita by 2001 and 61 % per capita by 2006, and

WHEREAS, Orange County achieved a 40% waste reduction rate in 2001-02 and 45% waste reduction rate in 2002-2003, thus meeting its interim waste reduction goal of 45% and the State goal of 40%, and

WHEREAS, this is recognized as the highest level of waste reduction in North Carolina, while during the same period the state overall has experienced a significant decrease in waste reduction, and

WHEREAS, participation in County waste reduction and recycling programs continue at a high level, and

WHEREAS, the State of North Carolina does not contribute in any meaningful manner to funding local government waste collection, waste disposal, or waste reduction programs or services, and

WHEREAS, Orange County is considering alternative means of financing its solid waste programs which it will likely implement in FY 2004-05, and

WHEREAS the Town of Carrboro is required by State regulation to adopt a resolution endorsing the plan update before submission by Orange County to the State;

NOW THEREFORE BE IT RESOLVED that Orange County is maintaining its long-term goal of 61 % waste reduction per capita.

BE IT FURTHER RESOLVED that the Town of Carrboro adopts the solid waste plan update attached hereto and authorizes the County Manager to submit the plan to the State.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of March, 2004:

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

Noes: None

Absent or Excused: Michael Nelson

Joal requested an update on the availability fee and a future update on plans following closure of the landfill in 2009.

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## **APPOINTMENTS TO RECREATION AND PARKS MASTER PLAN MANAGEMENT GROUP**

The Mayor and Board of Aldermen considered making appointments to the Recreation and Parks Master Plan Management Group. This group will then begin the charge of updating the Recreation and Parks Master Plan.

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

### **A RESOLUTION MAKING APPOINTMENTS TO THE RECREATION AND PARKS MASTER PLAN MANAGEMENT GROUP Resolution No. 127/2003-04**

WHEREAS, the Recreation and Parks Master Plan Management Group is needed to update the Recreation and Parks Master Plan; and

WHEREAS, representation from Town advisory boards and community organizations to serve on this committee were requested; and

WHEREAS, each appointed member would serve on the Recreation and Parks Master Plan Management Group (RPMPG). The overall objective of the group is to work with the consultant in updating the Recreation and Parks Comprehensive Master Plan. The project will be coordinated by the Director of Recreation and Parks. The following steps will be used to complete this project.

1. RPMPG develops a Request for Qualification Announcement
2. RPMPG reviews submitted proposals
3. RPMPG recommends a consultant to the Board of Aldermen
4. The Town contracts with a consultant
5. Consultant and RPMPG meet on the updating process, format, and expectations
6. Consultant plans, coordinates, and conducts the public process and activities needed to update the Town's Recreation and Parks Master Plan. During this step the consultant will consider all recreation, park, and facility and greenway plans of Chapel Hill, Orange County and the school systems, as well as the following:
  - A. Parks
    - Evaluate current locations and needs
    - Include properties or areas where different classifications of parks should be developed
  - B. Greenways
    - Evaluate major and minor greenways to include the Bolin, Tom's, and Morgan Creek corridors
    - Consider the transportation and general recreation needs of the population
  - C. Facilities
    - Evaluate current locations and needs
    - Include properties or areas where facilities should be considered
7. Consultant will report findings and plan information to RPMPG
8. Consultant completes the preliminary plan
9. Preliminary plan is presented to the Board of Aldermen and a public hearing is set
10. Public hearing is held and comments regarding modifications to preliminary plan

- are specified
11. Consultant will meet with RPMPG to review specified modifications and final plan
  12. Project completed

NOW THEREFORE, THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVE

Section 1. The Board hereby appoints two Board representatives to serve on the committee.

Section 2. The Board hereby approves the names of selected representatives to serve on the Recreation and Parks Master Plan Management Group (RPMPG).

The Recreation and Parks Master Plan Management Group:

- Diana McDuffee and John Herrera, Carrboro Board of Aldermen
- Doris Murrell and Marianne Nicholson, Recreation and Parks Commission
- Randee Haven O'Donnell, Planning Board
- Salli Benedict, Friend of Bolin Creek
- Allen Spalt, Morgan Creek Valley Alliance
- Chris van Hasselt, Transportation Advisory Board
- Bill Bussey, Triangle Greenways Council

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 16th day of March, 2004:

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

Noes: None

Absent or Excused: Michael Nelson

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**REQUEST TO SET A PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENTS THAT MODIFY DOWNTOWN PARKING REQUIREMENTS**

On October 11, 2003, the Board of Aldermen directed staff to prepare Land Use Ordinance text amendments related to downtown parking. A draft ordinance has been prepared. Should the Board wish to proceed with public consideration of these proposed amendments, the Administration recommended that a public hearing be set and that the draft ordinance be forwarded to pertinent advisory boards and Orange County for review.

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

Alderman Broun requested an analysis of the options prior to the public hearing.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT  
AMENDMENT TO MODIFY THE TOWN'S PARKING REQUIREMENTS

Resolution No. 129/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities to consider and enhance the Town's land use regulations.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on April 27, 2004 to consider adopting amendments to several of the parking requirements of the Land Use Ordinance.

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, the Transportation Advisory Board, Environmental Advisory Board, and the Downtown Development Commission for comment and recommendation to the Board.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of March, 2004:

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

Noes: None

Absent or Excused: Michael Nelson

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO  
ADJOURN TO CLOSED SESSION AT 8:15 P.M. TO DISCUSS A MATTER INVOLVING  
ATTORNEY/CLIENT PRIVILEGE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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Mayor Pro Tem

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Town Clerk