

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 22, 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
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Bob Hornick for Michael B. Brough
Deputy Town Clerk	Sharmin E. Mirman

Absent:

Alderman	Diana McDuffee
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CAR-FREE DAY

James Carnahan and Patrick McDonough, the Transit Service Planner with TTA, addressed the Board. On Wednesday, Sept. 22nd, they are organizing a car-free day in Orange County where people will be encouraged to use any means of transportation other than driving alone.

BILL OF RIGHTS DISPLAY

Peggy Misch, with the Orange County Peace Coalition and Orange County Bill of Rights Defense Committee, addressed the Board. She said that she was asked by the Director of Recreation and Parks to provide a complete listing of literature that might be displayed at their table on the fourth of July.

Mayor Nelson thinks there was a misunderstanding re: her having to provide this list. He requested staff to look into this. He requested a report from the town staff.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO APPROVE THE JUNE 15, 2004 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REQUEST TO APPROVE DESIGNATION OF FUND BALANCE FOR FY2003-04 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED

The Town has identified several projects totaling \$20,851 within the FY2003-04 general fund budget whereby funds approved by the Board have not been spent but will be needed when the projects are brought to fruition and a vendor is identified to purchase the service or item. The funds, if not spent or reserved for next year, will lapse to undesignated fund balance within the General Fund at June 30, 2004. The Board was requested to set aside these funds for the upcoming year by designating fund balance for appropriation when needed in the upcoming fiscal year.

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

A RESOLUTION RESERVING FUND BALANCE
FOR FY-2003-04 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED
Resolution No. 188/2003-04

WHEREAS, the Town Manager, Steven E. Stewart, has described to the Board the desirability of adopting a resolution to reserve fund balance for the following projects:

BE IT RESOLVED by the Board of Aldermen that fund balance be reserved to fund the following items:

RESERVED FUND BALANCE FOR INCOMPLETE PROJECTS OR EXPENDITURES

PROJECTS	DEPARTMENT	COST
Traffic Calming Options	Public Works	\$4,500
Unspent Building Renovation Funds	Fire Department	\$1,264
Bolin Forest Sidewalk	Public Works	\$11,700
Music Festival	Recreation	\$3,387
TOTAL GENERAL FUND		\$20,851.00

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 22nd day of June, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

TOWN CODE AMENDMENTS RELATED TO NON-DISCRIMINATION STATEMENT AND FAMILY AND MEDICAL LEAVE

Town staff has prepared amendments to the Town Code related to the town's Non-Discrimination Statement and the definition of "serious health condition" as related to the Family and Medical Leave Act. The Administration recommended that the Board of Aldermen adopt the proposed amendments to the Town Code.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 4 OF THE CARRBORO TOWN CODE AS IT PERTAINS TO THE TOWN'S EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION STATEMENTS AND THE DEFINITION OF "SERIOUS HEALTH CONDITION" AS IT RELATES TO THE FAMILY AND MEDICAL LEAVE ACT." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

AFFORDABLE HOUSING ACTION ITEM

The town is being requested to support a letter prepared by Orange County Housing and Land Trust to Congressman Price regarding the impact of an upcoming change in federal HUD guidelines for affordable housing programs. That change will come about as a result of Wake County being removed from the existing Metropolitan Statistical Area, leaving Durham and Orange Counties to stand alone. The Board was requested to adopt a resolution authorizing the Mayor to sign the draft letter to Congressman Price.

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

A RESOLUTION AUTHORIZING MAYOR NELSON TO
SIGN A LETTER TO CONGRESSMAN DAVID PRICE
Resolution No. 193/2003-04

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. Mayor Nelson is hereby authorized to sign a letter addressed to Congressman David Price regarding the town's concern about the recent changes in the Metropolitan Statistical Area and the affect of that change on HUD's income limits for affordable homebuyers.

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 22nd day of June, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

REQUEST TO AWARD CONTRACTS AND BUDGET AMENDMENT FOR ENGINEERING SERVICES FOR THREE TRANSPORTATION ENHANCEMENT PROJECTS

The purpose of this agenda item was to award engineering contracts with Sungate Design Group and approve a budget amendment for three sidewalk projects funded through the NCDOT transportation enhancement program. A budget amendment is required to transfer funds set aside in the Capital Reserve Fund for these projects to the General Fund.

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

A RESOLUTION WAIVING THE BIDDING PROCESS FOR THE THREE SIDEWALK PROJECTS ALSO REFERRED TO AS PROJECTS E-4545, E-4780, E-4781 AND TO ENTER INTO A CONTRACT WITH SUNGATE DESIGN GROUP FOR RELATED ENGINEERING SERVICES
Resolution No.194/2003-04

WHEREAS, the Town of Carrboro needs to select an engineering firm to perform engineering services for three sidewalk projects - Projects E-4545, E-4780, and E-4781 – funded through the NCDOT transportation enhancement 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 storm water 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 three transportation enhancement projects;

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

Section 1. That the bidding process for selecting an engineering firm for the sidewalk projects also referred to as Projects E-4545, E-4780, and E-4781 is waived.

Section 2. That the Town staff be directed to enter into a contract with Sungate Design Group of Raleigh, N.C. in the amount of \$56,191 to perform all engineering associated with the three sidewalk projects.

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 22nd day of June, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

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

APPOINTMENTS TO DOWNTOWN COMMERCIAL-RESIDENTIAL INTERFACE SUBCOMMITTEE

On June 15, 2004, the Board of Aldermen approved creation of a committee to review rezoning possibilities at the interface between residential and commercial zones in downtown Carrboro. Two applications have been received for citizen members. A resolution that establishes the charge for this subcommittee and appoints its members was presented.

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

A RESOLUTION MAKING APPOINTMENTS AND ESTABLISHING A CHARGE FOR THE DOWNTOWN COMMERCIAL-RESIDENTIAL INTERFACE SUBCOMMITTEE

Resolution No. 195/2003-04

WHEREAS, the Board of Aldermen authorized creation of a subcommittee to review and make recommendations on rezoning alternatives at the interface between residential and commercial zoning districts in downtown Carrboro, and

WHEREAS, the Board determined that the committee would consist of two members of the Board of Aldermen, three citizens, two members of the Planning Board and two members of the Downtown Development Commission; and

WHEREAS, the Board of Aldermen, Planning Board, and DDC have identified prospective members and two applications have been received for citizen members.

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

Section 1. The following individuals are hereby appointed to the Downtown Commercial-Residential Interface Subcommittee:

Board of Aldermen	Jacquelyn Gist Alex Zaffron
Citizens	Michelle Rivest Blan Holman
Planning Board	James Carnahan David Clinton
Downtown Development Commission	Nathan Milian James Morgan

Section 2. The charge of the subcommittee shall be as follows:

1. To consider the draft ordinance establishing the B-1(f) zone and make recommendations regarding placement, and
2. To consider the draft ordinance establishing the CORE overlay district and make recommendations regarding placement, and
3. To review the matter of open space requirements in downtown residential development and make recommendations regarding its continued use.

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 22nd day of June, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

TOWN CODE AMENDMENT RELATED TO PARKING IN MUNICIPAL LOTS

Town staff has prepared amendments to the Section 6-19 of the Town Code related to parking in municipal parking lots to clarify the use provisions and ensure sufficient parking for municipal purposes. The Administration recommended that the Board of Aldermen adopt the ordinance amending the Town Code.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE RELATED TO PARKING IN MUNICIPAL PARKING LOTS." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

TOWN CODE AMENDMENTS TO CORRECT STREET REFERENCES

Town staff has prepared amendments to make corrections to street references in the Town Code. The Administration recommended that the Board of Aldermen adopt the ordinance amending the Town Code.

MOTION WAS MADE BY JOAL HALL BROUN AND DULY SECONDED BY ALEX ZAFFRON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

A REQUEST TO APPROVE A BUDGET AMENDMENT

The Board of Aldermen, on May 25, held a public hearing to receive public comment on the proposed installment financing for the Adams Tract, a 27-acre parcel of land that has been identified for preservation and public use purposes. The Board, upon closing the public hearing, adopted a resolution to enable the Town to proceed with financing for the Adams Tract. The Local Government Commission will likely approve the financing during the Board's summer break. A budget amendment appropriating funds to enable the Adams Tract purchase is required.

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

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN ASSIGNMENT
TO PURCHASE THE ADAMS TRACT AND THE CONVEYANCE OF A
CONSERVATION EASEMENT
Resolution No. 197/2003-04

WHEREAS, the Board of Aldermen has approved purchasing the majority of the Adams Tract; and

WHEREAS, the Board has authorized staff to proceed with securing installment financing; and

WHEREAS, the town will need a signed purchase agreement with the owners and agreement on the conservation easement in order to place the town's funding request on the July Local Government Commission meeting agenda.

NOW, THEREFORE, THE MAYOR AND BOARD OF ALDERMEN HEREBY RESOLVE:

Section 1. The Board authorizes the acceptance of an assignment from Orange County for the contract to purchase the Adams Tract and authorizes the Mayor and Town Clerk to sign the assignment documents (contingent upon further review and revisions by town staff and the Town Attorney).

Section 2. Since additional activities may take place prior to the Board of Aldermen and the Orange County Board of Commissioners returning in August, the Board agrees to convey a conservation easement to Orange County on the property as denoted in the attached easement (contingent upon further review and revisions by town staff and the Town Attorney).

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 22nd day of June, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

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

PUBLIC HEARING/STREET CLOSING PERMIT APPLICATION: *FOUR ON THE FOURTH ROAD RACE*

Cardinal Track Club has submitted a Street Closing Permit Application to temporarily close six streets from 7:55 am to 9:00 am on Sunday, July 4, 2004 to accommodate the *Four on the Fourth Road Race*. A public hearing is necessary prior to issuing a street-closing permit. In accordance with Section 7-19 of the Town Code, a public hearing must be held to receive public input prior to issuing a Street Closing Permit.

MOTION WAS MADE BY ALDERMAN MARK CHILTON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

The following resolution was introduced by Alderman Mark Chilton and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF STREETS TO
ACCOMMODATE THE *FOUR ON THE FOURTH ROAD RACE*
Resolution No. 192/2003-04

Section 1. The following streets shall be temporarily closed Sunday, July 4, 2004 from 7:55 am to 9:00 am to accommodate the *Four on the Fourth Road Race*. Old Fayetteville Road

Carol Street
Lorraine Street
Hillsborough Road
West Main Street
James Street

Section 2. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

Section 3. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 4. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 5. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 6. 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 22nd day of June, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

CONTINUATION OF THE PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT RELATED TO GROUP HOMES

A public hearing on text amendments related to group homes was held on May 25th. The Board of Aldermen continued discussion of this matter until operators of local group homes had received copies of the draft ordinance.

Shira Bellovicz, a member of Club Nova addressed the Board. She said that the ordinance would not help anyone.

Dennis Bradshaw addressed the Board. He said that the ordinance would divide the community.

Vicki Shay, (a clinical psychologist and 20-year board member of RSI) addressed the Board. She said that this is not a good policy for the Town of Carrboro.

Alderman Gist thanked her for being here. She acknowledged that issues stemming from a rewrite are inadvertent. She asked Ms. Shay for suggestions as to how to make it work better.

Mayor Nelson stated that there is inconsistency between the town ordinance and Federal law and that is why the Board was considering the ordinance. He said that a memo from the Town attorney says there is more work to do and that the Board should pass it now and work on it later.

Alderman Gist asked that the issue be revisited after the Board's summer break and asked RSI to get together with the town attorney to refine the ordinance.

MOTION WAS MADE BY ALDERMAN MARK CHILTON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

Alderman John Herrera asked that it be in compliance with Title VI.

MOTION WAS MADE BY ALDERMAN MARK CHILTON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS DEALING WITH GROUP HOMES." WITH THE CHANGE THAT ADULT CARE HOME, CLASS B AND CHILD CARE HOME, CLASS B REQUIRE ZONING PERMITS, RATHER THAN SPECIAL OR CONDITIONAL USE PERMITS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

PUBLIC HEARING: REZONING PETITION FOR A PORTION OF THE BRIGHT, WHEELER, FOWLER TRACT

The town has received and accepted a petition for rezoning a 17.5-acre portion of 49-acre tract located on the eastern side of Old NC 86 north of the Calvander intersection from R-R to R-20.

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

Kevin Hammock, a representative of MI Homes, addressed the Board.

Dave Shelp, a resident of Lake Hogan Farms, addressed the Board. He spoke in support of the rezoning but stated his concern that they are not receiving the city services that they should be getting, i.e., no police in the neighborhood and no posted speed limits.

Mayor Nelson asked the Town Manager to follow up on Mr. Shelp's comments. He stated that some streets would remain private streets until accepted by the Town and asked the Town Manager to look into that too.

Robert Dowling, with the Orange County Community Land Trust addressed the Board. He stated a need for affordable housing in Carrboro. He said it's in the welfare of our community to approve the rezoning.

MOTION WAS MADE BY ALDERMAN JACQUELYN GIST AND SECONDED BY ALDERMAN JOHN HERRERA TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

A MOTION WAS MADE BY ALDERMAN ALEX ZAFFRON AND SECONDED BY ALERMAN JOHN HERRERA TO REOPEN AND CONTINUE THE PUBLIC HEARING TO A DATE UNCERTAIN. VOTE: AFFIRMATIVE ALL, ONE ABSENT: MCDUFFEE.

Alderman Zaffron recommended that the applicants speak to Robert Dowling, with Orange Community Housing and Land Trust.

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT RELATED TO BUILDING HEIGHT LIMITATIONS FOR SCHOOLS

A draft ordinance that would allow an increase in building height for elementary and secondary schools has been prepared in response to a petition from Steven Miller of CLH Design, P.A. The Board of Aldermen must hold a public hearing before taking action on this draft ordinance. The Administration recommended that the Board adopt the draft ordinance.

Trish McGuire, the town's Planning Administrator, addressed the Board.

MOTION WAS MADE BY ALDERMAN ALEX ZAFFRON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO BUILDING HEIGHTS OF ELEMENTARY AND SECONDARY SCHOOLS." VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GIST) ABSENT ONE (MCDUFFEE)

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT RELATED TO REVISING THE INVASIVE PLANT LIST AND THE LIST OF RECOMMENDED TREES AND SHRUBS

A draft ordinance that modifies the prohibited invasive species list and the recommended trees and shrubs list has been prepared for public consideration. Following the receipt of public comments, the Administration recommended that the Board of Aldermen adopt the draft ordinance.

Trish McGuire, the town's Planning Administrator, made the presentation. The following corrections were made to the draft ordinance:

- E-13, replace Magnolia with Cucumber Tree
- E-14, replace Warty Barberry with Warty Blueberry
- E-16, correct the spelling of rhododendron
- E-16, remove Swamp White Oak

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN MARK CHILTON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY ALDERMAN MARK CHILTON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LISTS OF RECOMMENDED TREES, SHRUBS, AND PROHIBITED INVASIVE SPECIES PROVISIONS SPECIFIED IN APPENDIX E OF THE CARRBORO LAND USE ORDINANCE, WITH THE CHANGES SUGGESTED BY THE TOWN STAFF." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT: RESTAURANTS IN B-1(G)

A draft ordinance that would modify the permit requirement for certain restaurant uses in the B-1(g) zoning district has been prepared. The administration recommended adoption of the draft ordinance with the changes noted.

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

MOTION WAS MADE BY ALDERMAN JACQUELYN GIST AND SECONDED BY ALDERMAN JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY ALDERMAN JACQUELYN GIST AND SECONDED BY ALDERMAN JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TOT MAKE 8.100 AND 8.200 RESTAURANT USES PERMISSIBLE IN THE B-1(G) ZONING DISTRICT." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT ESTABLISHING HOURS OF OPERATION FOR DRY CLEANING MACHINERY

A draft ordinance that limits the hours of operation of dry cleaning machinery that generates audible noise at the property line has been prepared. The Board of Aldermen must hold a public hearing prior to making a decision on this draft ordinance.

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

Daniel Amone, a member of the Village Square Homeowners Association, addressed the Board. He said that they worked out an agreement with Carolina Cleaners as far as hours of operation.

A resident of Village Square, asked the Board to re-write ordinance to authorize the dry cleaner to have 12 free days per year.

MOTION WAS MADE BY ALDERMAN ALEX ZAFFRON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE FIVE, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY ALDERMAN ALEX ZAFFRON AND SECONDED BY ALDERMAN JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS DEALING WITH NOISE." WITH THE FOLLOWING CHANGES: 7:00 A.M. TO 6:00 P.M. MONDAY THROUGH FRIDAY, AND 12:00 NOON TO 5:00 P.M. ON SATURDAY, NO HOURS OF OPERATION ON SUNDAY. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (NELSON) ABSENT ONE (MCDUFFEE)

APPOINTMENTS TO THE SIDEWALK REVIEW COMMITTEE

Town staff has advertised for applicants to serve in the two citizen seats on the Sidewalk Review Committee. One application from Catherine DeVine has been received. It is recommended that the Board consider adopting a resolution appointing Catherine Devine to the Sidewalk Review Committee and designating the three members of the Board of Aldermen to serve on the Sidewalk Review Committee.

Mayor Nelson stated that Andreas Hay had also expressed an interest in serving on this committee.

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

A RESOLUTION APPOINTING CATHERINE DEVINE AND THREE MEMBERS OF THE BOARD OF ALDERMEN TO THE SIDEWALK REVIEW COMMITTEE

Resolution No. 196/2003-04

WHEREAS, on November 4, 2003, the voters of Carrboro approved a \$4.6 million general obligation bond issue for the purpose of constructing sidewalks and greenway trails.

WHEREAS, at its meeting on February 3, 2004, the Board of Aldermen approved the "Guiding Principles for Implementing Sidewalk Bond Projects," which identifies tasks to be performed by a Sidewalk Review Committee.

WHEREAS, at its meeting on June 1, 2004, the Board of Aldermen authorized the creation of a Citizen Sidewalk Committee composed of five members, three members from the Board of Aldermen and two Carrboro citizens, and authorized Town staff to recruit applicants for the two citizen seats on the committee.

WHEREAS, Catherine DeVine has submitted an application for one of the citizen seats on the Sidewalk Review Committee.

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

Section 1. The Board of Aldermen hereby appoints Catherine DeVine and Andreas Hay to the citizen seats on the Sidewalk Review Committee.

Section 2. The Board of Aldermen hereby appoints the following three Aldermen to serve on the Sidewalk Review Committee:

- Jacquelyn Gist
- Diana McDuffee
- Alex Zaffron

Section 4. 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 22nd day of June, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

SUPPORT OF STORMWATER LEGISLATION

Alderman Alex Zaffron asked the Board to authorize Mayor Nelson to send a letter to the town's legislative delegation requesting that they support House Bill 1585 and Senate Bill 1210 dealing with storm water.

A MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO AUTHORIZE THE MAYOR TO FORWARD A LETTER OF SUPPORT TO THE TOWN'S LEGISLATIVE DELEGATION. VOTE: AFFIRMATIVE: SIX, ABSENT ONE (MCDUFFEE)

HOMESTEAD ROAD SIDEWALK MAINTENANCE

Alderman Alex Zaffron requested that the Town Attorney meet with the Chapel Hill and Orange County attorneys to examine statutes and craft an interlocal agreement whereby Carrboro will maintain the Homestead and Rogers Road sidewalks.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 9:37 PM. VOTE: AFFIRMATIVE ALL

Deputy Town Clerk

Mayor