

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 7, 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 (arrived at 7:40 p.m.)
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:

Alderman	Diana McDuffee
	Alex Zaffron

**DOWNTOWN CIRCULATION STUDY**

Giles Blunden requested that the downtown circulation study and Dan Burton studies be kept on file for future reference and that the Board consider hiring a facilitator for the meetings involving the downtown circulation study.

James Carnahan requested that the Board continue to look at the downtown circulation plan from the pedestrian's point of view.

Alderman Gist stated she felt a facilitator was needed.

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**SPEEDING IN ROBERSON PLACE**

Edward Curtis, President of the Roberson Place Homeowners Association, asked for the Board's help in getting the speed limit under control in their neighborhood. He stated that it is going to be difficult to get 75% of the owners to sign a petition because of the diverse residents.

Dale Carlson, Treasurer/Secretary of Roberson Place Homeowners Association, stated that they would like speed bumps installed, along with a reduction in the speed limit.

Mayor Nelson asked that Mr. Curtis email the Town Clerk his concerns for the Board's review.

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**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROVE THE NOVEMBER 9, 2004 MINUTES. VOTE: AFFIRMATIVE FOUR, ABSENT THREE (MCDUFFEE, ZAFFRON, HERRERA)

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**PUBLIC SERVICE GAS FRANCHISE**

The purpose of this item was for the Board of Aldermen to adopt an ordinance granting a franchise to Public Service Company of North Carolina, Incorporated (a subsidiary of Scana Corporation) to continue to operate a natural gas utility system with the Town of Carrboro.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE GRANTING TO PUBLIC SERVICE COMPANY OF NORTH CAROLINA, INCORPORATED, A SUBSIDIARY OF SCANA CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO USE AND OCCUPY THE PUBLIC WAYS OF THE TOWN OF CARRBORO, NORTH CAROLINA, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A GAS UTILITY SYSTEM AND ALL NECESSARY MEANS FOR TRANSMITTING AND DISTRIBUTING GAS WITHIN SAID TOWN FOR A PERIOD OF THIRTY YEARS." VOTE: AFFIRMATIVE FOUR, ABSENT THREE (MCDUFFEE, ZAFFRON, HERRERA)

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**ORDINANCE REVISING CHAPTER 12 OF THE TOWN CODE**

The Fire Chief requested that a comprehensive review of the Fire Protection Ordinances be conducted to determine if there were any defects as a result of changes to General Statutes over the past few years. Some conflicts were identified regarding the Fire Prevention Code to be enforced as well as conflicts in some additional references that have resulted from local amendments and modifications. The town staff recommended that the Board of Aldermen adopt an ordinance amending Chapter 12 of the Town Code.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 12 OF THE CARRBORO TOWN CODE TO UPDATE CERTAIN PROVISIONS OF THE CODE DEALING WITH FIRE PREVENTION AND PROTECTION." VOTE: AFFIRMATIVE FOUR, ABSENT THREE (MCDUFFEE, ZAFFRON, HERRERA)

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**BUDGET AMENDMENT**

The purpose of this item was to transfer contingency funds to Recreation and Parks (\$500) to cover costs associated with the Town Commons tot lot shade sail project and to Economic Development (\$500) to pay for an architectural study exploring the possibility of placing a parking deck on the Town parking lot at the corner of Greensboro and Weaver Streets. With the transfer of \$1,000 for these projects, \$6,000 will remain in contingency for undesignated purposes.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY2004-05 BUDGET ORDINANCE." VOTE: AFFIRMATIVE FOUR, ABSENT THREE (MCDUFFEE, ZAFFRON, HERRERA)

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**REQUEST TO AWARD A TELECOMMUNICATION AND UTILITY AUDIT CONTRACT**

The Board of Aldermen was requested to authorize the Town Manager to execute a contract with Utilities Reduction Specialists (URS), a cost management company, to audit the town's telecommunication and utility payments to determine if savings may exist.

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

A RESOLUTION AWARDDING A TELECOMMUNICATION AND UTILITY AUDIT  
CONTRACT TO UTILITIES REDUCTION SPECIALISTS  
Resolution No. 60/2004-05

BE IT RESOLVED by the Board of Aldermen that the Town Manager is authorized to execute a contract with Utilities Reduction Specialists to conduct a telecommunication and utility audit.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of December, 2004:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Michael Nelson

Noes: None

Absent or Excused: Diana McDuffee, Alex Zaffron, John Herrera

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**CERTIFICATION OF FIRE DEPARTMENT ROSTER**

To satisfy N.C. General Statute 58-86-25 which requires that all certified fire department certify a complete roster of its qualified firefighters annually to the Firemen's Pension Fund, it was requested that the Mayor be authorized to sign the annual certification.

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

A RESOLUTION AUTHORIZING THE MAYOR  
TO SIGN THE ANNUAL CERTIFICATION OF FIREMEN  
Resolution No. 63/2004-05

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

Section 1. The Mayor is hereby authorized the sign the 2004 Annual Certification of Firemen.

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 December, 2004:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Michael Nelson

Noes: None

Absent or Excused: Diana McDuffee, Alex Zaffron, John Herrera

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**REVIEW AND APPROVAL: MUNICIPAL AGREEMENTS FOR HANNA STREET AND BOLIN FOREST DRIVE SIDEWALK CONSTRUCTION PROJECTS**

The Town of Carrboro has been approved to receive federal monies to cover a portion of the cost of sidewalks along Hanna Street and Bolin Forest Drive. NCDOT has prepared Municipal Agreements for these projects. A resolution recommending the Board of Aldermen authorize the Town Manager and Town Clerk to sign and execute the Municipal Agreements was recommended for the Board's approval.

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

**A RESOLUTION APPROVING THE HANNA STREET SIDEWALK AND  
AUTHORIZING THE TOWN MANAGER TO EXECUTE THE  
MUNICIPAL AGREEMENT WITH NCDOT  
Resolution No. 65/2004-05**

WHEREAS, the Town of Carrboro proposes to make certain street and highway improvements to consist of the construction of a five –(5) foot sidewalk along Hanna Street from Greensboro Street (SR 1772) in Carrboro for approximately 1150 feet; and,

WHEREAS, the Municipality has requested to use State Transportation Program Direct Attributable (STP-DA) Funds in the construction of the sidewalks; and,

WHEREAS, the Transportation Advisory Council (TAC) has authorized the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization (MPO) to approve the allocation of the State Transportation Program Direct Attributable (DA) Funds to be used in the construction of the sidewalks; and,

WHEREAS, the Department has agreed to administer the disbursement of the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization's (MPO) State Transportation Program Direct Attributable (STP-DA) Funds allocation on behalf of FHWA to the Municipality for the construction of the sidewalks in accordance with the project scope of work and with the provisions set forth in this Agreement; and,

WHEREAS, the Town of Carrboro agrees to design the project plans, acquire the right of way and adjust utilities, award the construction contract, and supervise project construction and be responsible for the costs of design and preparation of plans for the entire project, for the costs of engineering and supervision of construction of the entire project, administrative costs incurred in the acquisition of right of way of the project, funding the 20% match (\$3,990) for the Direct Attributable Funds authorized, all costs which exceed \$19,950 and all eligible costs not reimbursed by the Federal Highway Administration due to noncompliance by the Municipality; and,

WHEREAS, said agreement further provides for the Department of Transportation to allocate an amount not to exceed \$15,960 from the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization's MPO (MPO) State Transportation Program Direct Attributable Funds to the Town of Carrboro for the construction of the project in accordance with the terms of the agreement.

NOW, THEREFORE, BE IT RESOLVED that said Project, Orange County, is hereby formally approved by the Board of Aldermen of the Town of Carrboro and that the Town Manager and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of December, 2004:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Michael Nelson

Noes: None

Absent or Excused: Diana McDuffee, Alex Zaffron, John Herrera

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

**A RESOLUTION APPROVING THE BOLIN FOREST DRIVE SIDEWALK  
AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE  
MUNICIPAL AGREEMENT WITH NCDOT  
Resolution No. 66/2004-05**

WHEREAS, the Town of Carrboro proposes to make certain street and highway improvements to consist of the construction of a five –(5) foot sidewalk along Bolin Forest Drive from Greensboro Street (SR 1772) to Stable Road in Carrboro for approximately 350 feet; and,

WHEREAS, the Municipality has requested to use State Transportation Program Direct Attributable (STP-DA) Funds in the construction of the sidewalks; and,

WHEREAS, the Transportation Advisory Council (TAC) has authorized the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization (MPO) to approve the allocation of the State Transportation Program Direct Attributable (DA) Funds to be used in the construction of the sidewalks; and,

WHEREAS, the Department has agreed to administer the disbursement of the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization’s (MPO) State Transportation Program Direct Attributable (STP-DA) Funds allocation on behalf of FHWA to the Municipality for the construction of the sidewalks in accordance with the project scope of work and with the provisions set forth in this Agreement; and,

WHEREAS, the Town of Carrboro agrees to design the project plans, acquire the right of way and adjust utilities, award the construction contract, and supervise project construction and be responsible for the costs of design and preparation of plans for the entire project, for the costs of engineering and supervision of construction of the entire project, administrative costs incurred in the acquisition of right of way of the project, funding the 2% match (\$3,990) for the Direct Attributable Funds authorized, all costs which exceed \$19,950 and all eligible costs not reimbursed by the Federal Highway Administration due to noncompliance by the Municipality; and,

WHEREAS, said agreement further provides for the Department of Transportation to allocate an amount not to exceed \$15,960 from the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization’s MPO (MPO) State Transportation Program Direct Attributable Funds to the Town of Carrboro for the construction of the project in accordance with the terms of the agreement.

NOW, THEREFORE, BE IT RESOLVED that said Project, Orange County, is hereby formally approved by the Town Council of the Town of Carrboro and that the Town Manager and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of December, 2004:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Michael Nelson

Noes: None

Absent or Excused: Diana McDuffee, Alex Zaffron, John Herrera

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**2030 LONG RANGE TRANSPORTATION PLAN FIXED GUIDEWAY CORRIDOR BETWEEN CHAPEL HILL AND CARRBORO**

The Chapel Hill and Carrboro Town Managers have recommended that Chapel Hill and Carrboro support the approval of the fixed guideway corridor between the University of North Carolina main campus and the Carolina North property as shown in the 2030 Long Range Transportation Plan. The Managers also recommend that a detailed study be undertaken to determine a final alignment. Staff recommended adoption of a resolution transmitting these recommendations to the Durham-Chapel Hill-Carrboro Transportation Advisory Committee.

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

**A RESOLUTION PROVIDING THE DURHAM-CHAPEL HILL-CARRBORO TRANSPORTATION ADVISORY COMMITTEE WITH RECOMMENDATIONS ON THE DELINEATION OF THE FIXED GUIDEWAY TRANSIT CORRIDOR BETWEEN CHAPEL HILL AND CARRBORO**

Resolution No. 68/2004-05

WHEREAS, the Carrboro Board of Aldermen has reviewed the draft Durham-Chapel Hill-Carrboro 2030 Long Range Transportation Plan; and

WHEREAS, the 2030 Long Range Transportation Plan includes a fixed guideway corridor between Chapel Hill and Carrboro that continues to Carolina North and the Eubanks Road area; and

WHEREAS, as part of its 2004-05 Work Plan the Board of Aldermen have adopted an annual goal to take the lead on encouraging the use of the rail corridor to Carolina North; and

WHEREAS, the Chapel Hill Town Council has raised concerns about the use of Cameron Avenue for the implementation of the fixed guideway transit corridor between Chapel Hill and Carrboro; and

WHEREAS, the Transportation Advisory Committee has requested that Chapel Hill and Carrboro resolve this issue prior to the final approval of the 2030 Long Range Plan; and

WHEREAS, the Town Managers from Chapel Hill and Carrboro have reviewed the issue and have developed recommendations for finalizing the location of the fixed guideway corridor between Chapel Hill and Carrboro.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board provides the following recommendations to the Transportation Advisory Committee:

- The description of the fixed guideway corridor in the 2030 LRTP should remain as it was in the 2025 LRTP.
- Prior to the adoption of the next updated LRTP, the Durham-Chapel Hill-Carrboro MPO will undertake a study of the fixed guideway corridor to determine feasible alignments and appropriate vehicle technologies. This study would be similar to the major investment study previously completed for the US 15-501 corridor between Chapel Hill and Durham.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of December, 2004:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Michael Nelson

Noes: None

Absent or Excused: Diana McDuffee, Alex Zaffron, John Herrera

[Alderman Herrera arrived at the meeting.]

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## **PROCLAMATIONS**

Mayor Nelson read proclamations proclaiming December 1<sup>st</sup> as Rosa Parks Day and recognizing the 10<sup>th</sup> anniversary of the town's domestic partner registration program.

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## **PUBLIC HEARING: PETITION REQUESTING THE PAVING OF QUAIL ROOST DRIVE**

The Board of Aldermen held a public hearing to receive public comment on a Paving Improvement Petition submitted by Quail Roost Drive property owners to undertake the paving improvement project of Quail Roost Drive from the Hillsborough Road Improvements Projects to twenty (20) feet past the lot line of 21 Quail Roost Drive. The town staff recommended that the Board adopt the attached resolution directing that the Quail Roost Drive improvement project be undertaken.

George Seiz, the town's Public Works Director, made the staff presentation.

Alderman Gist requested that the bid document and contract contain language about protecting trees.

Nicholas Moss, a resident of 104 Quail Roost Drive, stated that the traffic is very substantial on Quail Roost, which causes dust, and would recommend that the Board proceed with this paving project.

Mayor Nelson noted that the town had received a letter from Brian and Sarah Baker, residents of 411 James Street, speaking in opposition to this paving project because this project does not affect their property frontage.

**MOTION WAS MADE BY MARK CHILTON AND SECONDED BY JOHN HERRERA TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (MCDUFFEE, ZAFFRON)**

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

### **A RESOLUTION DIRECTING THAT THE QUAIL ROOST DRIVE IMPROVEMENT PROJECT BE UNDERTAKEN**

**Resolution No. 55/2004-05**

WHEREAS, the Town has received a petition requesting that Quail Roost Drive from the Hillsborough Road Improvement Project to 20 feet past the lot line of 210 Quail Roost Drive be improved in the following manner: street paving; and

WHEREAS, the Town Clerk has certified to this Board that said petition is sufficient in all respects, the same having been duly signed by at least a majority in number of the owners of property abutting the street to be improved who reside on that street, who own at least a majority of the lineal feet of frontage on the street to be improved that is owned by persons who reside on that street.

WHEREAS, a preliminary assessment resolution has been adopted by the Board and a public hearing duly held thereon;

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

Section 1. The Town Manager shall proceed with the following street paving improvement project as provided by law: standard street paving of Quail Roost Drive from the Hillsborough Road Improvement Project to 20 feet past the lot line of 210 Quail Roost Drive.

Section 2. Fifty (50) percent of the total cost of this improvement (not including the costs of paving at street intersections) shall be assessed against the properties that abut the Quail Roost Drive improvements at an equal rate per foot of frontage. However, when a project is undertaken along two (2) sides of a corner lot, 75% of the frontage of the shorter side of such lot, up to a maximum of 125 feet, shall be exempt from assessment.

Section 3. The owners of property assessed shall, within thirty (30) days after publication of the notice that the assessment roll has been confirmed, either pay the full amount of the assessment in cash or notify the Town of their election to pay the assessed amount in five (5) annual installments with interest at the rate of eight (8) percent on the unpaid principal amount. If payment on an installment basis is chosen, the first installment with interest shall become due and payable on the date when property taxes are due and payable (September 1), and one subsequent installment and interest shall be due and payable on the same date in each succeeding year until the assessment is paid in full.

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 7th day of December, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee, Alex Zaffron

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**PUBLIC HEARING: PETITION REQUESTING THE PAVING OF LISA DRIVE**

A public hearing was set for tonight's meeting to receive public comment on a Paving Improvement Petition submitted by Lisa Drive property owners to undertake the paving improvement project of Lisa Drive from Quail Roost Drive to the existing pavement at Deer Street. However, after another review of the paving plans for Lisa Drive, it was discovered that the proposed paving extends beyond what was initially thought the south project limit would be. It was determined that the special assessment process had to be started again, in order to properly include 200 Lisa Drive. A new petition will be circulated to the residents of Lisa Drive to include 200 Lisa Drive. Therefore, the town staff recommended that this public hearing be cancelled.

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**PUBLIC HEARING: CONDITIONAL USE PERMIT FOR MORNINGSTAR MINI STORAGE**

Mr. David Blevins from Development Engineering, Inc., representing the property owner, has submitted an application for a Conditional Use Permit (CUP) to allow construction of a one-story mini-storage facility (Use 10.210) at 321 NC Highway 54, where a three-story building was previously approved. The request consists of a reduction in the overall square footage permitted on the site from 163,363 square feet to 70,950 square feet. The Board of Aldermen must hold a public hearing to receive input before reaching a decision on a Conditional Use Permit application.

Marty Roupe, the town's Zoning Administrator, was sworn in and made the staff presentation.

Richard Birgel, the property owner, was sworn in. He stated that a neighborhood meeting was not held because the proposed project is much less square footage than what was originally proposed. He asked the Board to approve this project because of a loan commitment.

Jay Branch, a resident of 203 Alabama Avenue, was sworn in. He stated that the trees in the buffer have died, and expressed concern about the hours of operation of this facility. He stated that his property value has been affected by this project. He also stated that the fence that was installed is not very sturdy. He said that you could see through all the backyards of his neighbors.

Alderman Gist requested that the town staff walk the fence to check its condition and request that Morningstar make necessary repairs.

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

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (MCDUFFEE, ZAFFRON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (MCDUFFEE, ZAFFRON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That the applicant be required to bring the existing buffer into compliance with the Land Use ordinance.
4. That all portions of the previously issued conditional use permit remain in effect. Any new conditions placed on this conditional use permit shall be in addition to the conditions included on the previous conditional use permit.

5. That the erosion control sediment basin be converted to a stormwater control detention basin, in accordance with the approved construction plans for the project (on file in the Town of Carrboro Planning Department), prior to the issuance of a certificate of occupancy for the one-storm mini storage facility authorized by the approval of this conditional use permit.
6. That the applicant provide to the Carrboro Zoning Division, prior to the release of the certificate of occupancy for the project or before the release of a bond if some features are not yet in place at the time of the release of the certificate of occupancy, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features must be clearly delineated in a data table. The data must be tied to horizontal control.
7. That the town staff determine that all conditions included in the conditional use permit issued in 2000 have been met, especially in relation to screening and erosion control.
8. That the town staff reviews the citizen concerns about the buffer.
9. That the applicant be required to remove the Barberry from the landscaping plan and replace with Itea. Barberry is listed on the invasive plant list within the Land Use Ordinance.

VOTE: AFFIRMATIVE FIVE, ABSENT TWO (MCDUFFEE, ZAFFRON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO GRANT THE PERMIT, SUBJECT TO THE AGREED UPON CONDITIONS. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (MCDUFFEE, ZAFFRON)

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**STATUS REPORT ON THE JORDAN LAKE STAKEHOLDER PROJECT**

The purpose of this item was to provide the Board of Aldermen with a status report on the Jordan Lake Stakeholders Project (JLSP).

Noah Ranells, the town's Environmental Planner, made the staff presentation.

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

A RESOLUTION TO ACCEPT THE STAFF REPORT ON THE  
 JORDAN LAKE STAKEHOLDERS PROJECT  
 Resolution No. 61/2004-05

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations related to water quality are as environmentally responsible as current fiscal conditions allow; and

WHEREAS, the Town of Carrboro has been a recognized leader in the development of ordinances that seek to promote awareness of water resources in the Town's jurisdiction and in its conservative approach to stewardship of buffers and water supply watersheds; and

WHEREAS, the Land Use Ordinance has been periodically updated to help guide development that is environmentally sound and causes minimal negative impacts to water quality in the Jordan Lake Watershed; and

WHEREAS, the Town of Carrboro has successfully been voluntarily mitigating stormwater effects long before federal and state law required the town to do so; and

WHEREAS, the Carrboro Board of Aldermen expresses a sincere desire to support the Jordan Lake nutrient management strategy, yet notes significant concern over the goals of nutrient reduction for existing development and the associated impact on planned development and town revenue; and

WHEREAS, the Town of Carrboro seeks to fulfill its shared responsibility to maintain and improve water quality of Jordan Lake and seeks the development of a strategy that will permit Carrboro to meet the water quality improvement goals,

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accept the staff report, and direct staff to 1) continue active engagement in the development of the Jordan Lake nutrient management strategy and 2) prepare a letter to the NC Department of Environment and Natural Resources, Division of Water Quality that expresses support of the process and significant concern on the fiscal impact on Town of Carrboro budget.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of December, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

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### **WORKSESSION ON RESIDENTIAL TRAFFIC MANAGEMENT PLAN**

At the request of the Board of Aldermen, the Transportation Advisory Board has been reviewing the Residential Traffic Management Plan (RTMP) for several months. The purpose of this item was for the Transportation Advisory Board to discuss its review and recommendations with the Board of Aldermen.

The Board delayed discussion of this matter until January 2005.

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### **PRESENTATION OF PRELIMINARY STUDY TO PLACE A PARKING DECK ON TOWN PARKING LOT**

The purpose for this item was to share with the Board of Aldermen information requested by the Board on the proposed parking structure for the Town-owned parking lot located at the corner of Greensboro and Weaver Streets to be expanded to potentially add parking spaces in the downtown.

James Harris, the town's Community and Economic Development Director, made the presentation.

Susan Delaney asked that the town remain open to the idea of sharing parking with her on the Starnes Weaver property.

Alderman Gist suggested that town staff park at the Town Hall rather than at the Century Center parking lot, to free up parking spaces on weekdays.

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

A RESOLUTION RECEIVING THE PRELIMINARY  
STUDY ON THE FEASIBILITY OF PLACING A PARKING DECK  
ON TOWN-OWNED PROPERTY  
Resolution No. 64/2004-05

WHEREAS, the Town of Carrboro seeks every plausible opportunity to provide adequate parking in the downtown to support the parking needs of the public who shop and work in the downtown or use town services which require short and long term parking; and

WHEREAS, the Board of Aldermen understands and supports the need to provide parking for these uses; and

WHEREAS, the Board has charged the Town Manager and the Community and Economic Development Director with seeking and exploring every opportunity to develop parking in the downtown independently and cooperatively with potential developers or existing businesses; and

WHEREAS, there was a possibility of increasing the total number of parking spaces on the Town owned parking lot on the corner of Greensboro and Weaver Streets and the Board appropriated funds for the exploration of the expansion; and

WHEREAS; the work has been completed by the consulting architect and it has been determined that it will cost \$17,000 per space to expand the parking lot from a 36 space parking lot to a 78 space parking lot at a total cost of \$1,325,000; and

Whereas; the work on the approved parking lot Weaver Street was put on hold until this exploration was complete so that the Board could consider the expansion of the existing town owned parking lot as an option to this new lot; and

WHEREAS; the availability of adequate parking in the downtown continues shrink because the properties that have been leased in the past by the Town of Carrboro are being purchased for development and leaving fewer properties for lease by the Town; and

WHEREAS; due to the fact that there are fewer parcels available for lease and or purchase all properties are becoming very expensive which could put them out of the reach of the Town's consideration for future purchase.

NOW THEREFORE, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES THAT:

Section 1. The preliminary study on expanding the parking lot on the corner of Weaver and Greensboro Streets has been received and based upon the findings of the study; the staff is directed to follow the original plan for developing the new parking lot on Weaver Street leased from Mr. Starnes Weaver per previous direction.

Section 2. Staff is also directed to continue to seek every plausible opportunity to provide adequate parking in the downtown to support the parking needs of the public who shop and work in the downtown or use town services, which require short and long term parking.

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 December, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee, Alex Zaffron

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### **PRESENTATION OF CAPITAL IMPROVEMENTS PLAN**

The purpose of this item was to provide the Board of Aldermen with the opportunity to review the Town Manager's FY2005-06 Capital Improvement Plan (CIP). The recommended CIP document is a plan that enables staff and the Board to plan for a vibrant community while protecting the Town's positive fiscal position and meeting the most critical needs over the next six years.

Patrick Childs, the town's Purchasing and Budget Administrator, made the presentation.

The Board requested that the town staff provide project cost explanations and a new revenue matrix when the CIP is brought back to the Board for adoption in January.

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### **A REQUEST TO APPROVE THE 2005 BOARD OF ALDERMEN PLANNING RETREAT AGENDA**

Each year, the Board of Aldermen conducts a retreat to discuss and set the direction in which it would like to lead the Town. The Board appointed Mayor Nelson and Aldermen McDuffee and Zaffron to serve on the retreat planning committee to work with town staff and Peg Carlson, facilitator, to develop a retreat agenda. The purpose of this item was to request that the Board of Aldermen review and approve the proposed retreat agenda.

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

#### **A RESOLUTION APPROVING THE 2005 BOARD OF ALDERMEN PLANNING RETREAT AGENDA Resolution No. 67/2004-05**

WHEREAS, the Mayor and the Board of Aldermen will hold its annual planning retreat on Sunday, February 13 and Monday, February 14, 2005; and

WHEREAS, the Board appointed Mayor Nelson and Aldermen McDuffee and Zaffron; and

WHEREAS, the Committee has met with town staff and the retreat facilitator, Peg Carlson, to develop a proposed agenda.

NOW THEREFORE BE IT RESOLVED that the Mayor and the Board of Aldermen hereby approve the 2005 retreat agenda.

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen cancel the February 15<sup>th</sup> Board meeting.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of December, 2004:

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

Noes: None

Absent or Excused: Diana McDuffee

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### **REPORT ON SIDEWALK CONSTRUCTION**

Alderman Chilton requested a status report on the construction of the sidewalk on Brewers Lane/Hargraves Street.

Dale McKeel stated that the design has been prepared and has been sent to NCDOT.

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### **YIELD TO PEDESTRIANS SIGNS**

Alderman Chilton requested that the town staff request that NCDOT install "Yield to Pedestrians" signs along N. Greensboro Street and S. Greensboro Street.

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### **REQUEST FOR REPORT ON TRAFFIC CITATIONS**

Alderman Gist requested that the police department provide a report on the number of traffic citations given for speeding, red lights and failure to stop at crosswalks.

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### **REQUEST TO REDUCE THE SPEED LIMIT ON NORTH GREENSBORO STREET**

Mayor Nelson requested that the town staff request that NCDOT lower the speed limit on North Greensboro Street.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 10:20 P.M. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (MCDUFFEE, ZAFFRON)

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Mayor

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Town Clerk