

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 7, 2005 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 |
|-------|----------------|

**BROAD STREET COFFEE SIGN**

Larry Hayes asked for an extension of time to bring the Broad Street Coffee sign into compliance with the town's land use ordinance. Specifically, he asked that he be given until the end of 2005, or at least until September 30, 2005 to bring the sign into compliance. He said that the extension would give him time to lease the building after the publicity about this matter dies down.

Mayor Pro Tem McDuffee asked for a staff recommendation on the request prior to the Board's summer break.

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**REPORT FROM THE COMMITTEE FOR ALCOHOL & DRUG FREE TEENAGERS**

Dale Pratt-Wilson and Isabel Geffner, speaking on behalf of the Committee for Alcohol and Drug Free Teenagers of Chapel Hill and Carrboro, introduced themselves and talked about the work of the committee and gave statistics regarding underage drinking and drug use in the Chapel Hill-Carrboro community. They invited the Board to join the committee in its efforts.

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**REQUESTS FROM JAY BRYAN**

Jay Bryan requested a status report on his request that the town declare a Catherine Peele Day and that a tree be planted with a plaque memorializing her service to the town.

Mr. Stewart stated that the Board was considering this matter later on at tonight's meeting.

Mr. Bryan asked for a status report on the Northern Transition Area Advisory Committee's request that the town's lighting ordinance be revised.

Mayor Pro Tem McDuffee requested that the town staff review the lighting ordinance as soon as possible.

Mr. Bryan asked for the Board's consideration of requesting that the speed limit on Old 86 from the intersection of Old Fayetteville Road and Hillsborough Road to just north of Eubanks Road be lowered from 45 mph to 35 mph. In addition, he requested that the speed limit on Union Grove Church Road be lowered to 45 mph.

Mayor Pro Tem McDuffee requested that the town staff bring back a recommendation for the Board's consideration supporting the reduction in speed limits.

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**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO APPROVE THE MAY 17 AND 24, 2005 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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**REQUEST TO SET A PUBLIC HEARING: ADOPTION OF MODIFICATIONS TO THE RESIDENTIAL TRAFFIC MANAGEMENT PLAN**

Town staff has prepared modifications to the Residential Traffic Management Plan incorporating recommendations from the Transportation Advisory Board and the Board of Aldermen. A resolution setting a public hearing on the proposed modifications for June 28, 2005 was presented for the Board's consideration.

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

A RESOLUTION CALLING A PUBLIC HEARING ON MODIFICATIONS  
TO THE RESIDENTIAL TRAFFIC MANAGEMENT PLAN

Resolution No. 163/2004-05

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

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on June 28, 2005, to consider adopting modifications to the Residential Traffic Management Plan.

BE IT FURTHER RESOLVED that the proposed modifications are referred to the Transportation Advisory Board for its recommendations.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

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**A REQUEST TO ADOPT A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT WITH ORANGE COUNTY AND CHAPEL HILL FOR THE GREENHOUSE GAS EMISSIONS REDUCTION PROJECT**

The purpose of this item was to request that the Board authorize the Town Manager to sign the memorandum of agreement with Orange County and Chapel Hill for the Greenhouse Gas (GHG) Emissions Inventory and Reduction Plan.

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

A RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO SIGN THE MEMORANDUM OF AGREEMENT WITH ORANGE COUNTY AND CHAPEL HILL FOR THE GREENHOUSE GAS EMISSIONS REDUCTION PROJECT  
Resolution No. 156/2004-05

WHEREAS, Carrboro, Chapel Hill, and the County are all members of the International Council of Local Environmental Initiatives (ICLEI) and the Cities (Counties) for Climate Protection (CCP) program; and

WHEREAS, as members of ICLEI and CCP, the County, Carrboro, and Chapel Hill are all required to conduct an inventory and action plan for reducing GHG emissions, which are a contributor to diminished air quality and ground level ozone; and

WHEREAS, Chapel Hill, Carrboro, and the County recognize the mutual benefits and economies that would be received by developing a joint Countywide plan; and

WHEREAS, the County agrees to accept the financial share of cost of municipalities in the County that are not members of ICLEI or parties to this agreement:

WHEREAS, the Town of Carrboro agrees to contribute \$4,388 to the total cost of the agreement:

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen authorize the Town Manager to sign the memorandum of agreement with Orange County and Chapel Hill for the Greenhouse Gas Emissions Reduction Project.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

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**TOWN CODE AMENDMENT CHANGING THE NAME OF THE DOWNTOWN DEVELOPMENT COMMISSION TO ECONOMIC SUSTAINABILITY COMMISSION, ADDING AN ADDITIONAL MEMBER, AND REVISING THE CHARGE OF THE COMMISSION**

The purpose of this item was to amend Sections 3-24.3 and 3-24.5 of the Town Code to change the name of the Downtown Development Commission to the Economic Sustainability Commission, to enlarge the membership of the commission from eight to nine, and to revise the statement of the duties and responsibilities of the commission.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO CHANGE THE NAME OF THE DOWNTOWN DEVELOPMENT COMMISSION TO THE CONOMIC SUSTAINABILITY COMMISSION AND TO MAKE RELATED CHANGES TO THE COMPOSITION AND DUTIES OF THIS COMMISSION." VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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**TOWN CODE AMENDMENT TO CLARIFY THAT VIOLATIONS OF RULES AND REGULATIONS REGARDING THE USE OF TOWN PROPERTY ARE SUBJECT TO PENALTIES**

The purpose of this agenda item was to seek approval from the Mayor and Board of Aldermen to amend Chapter 14 of the Town Code to clarify those violations of the rules and regulations adopted regarding the use of town property shall subject the violator to the penalties and remedies provided for violations of the provisions of Chapter 14.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 14 OF THE TOWN CODE TO CLARIFY THAT VIOLATIONS OF THE RULES AND REGULATIONS ADOPTED REGARDING THE USE OF TOWN PROPERTY SHALL SUBJECT THE VIOLATER TO THE PENALTIES AND REMEDIES PROVIDED FOR VIOLATIONS OF THE PROVISIONS OF CHAPTER 14." VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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**PROCLAMATION ISSUED**

Mayor Pro Tem McDuffee issued a proclamation proclaiming the Month of June as Optimist International Childhood Cancer Awareness Month

Jerry Phelps, with the Chapel Hill Optimist Club, thanked the town for recognizing Childhood Cancer Awareness Month.

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**PRESENTATION OF HUMAN SERVICES COMMISSION RECOMMENDATIONS FOR THE FY2005-06 BUDGET**

The purpose of this item was to present to the Board of Aldermen the recommendations from the Human Services Commission for funding requests from non-profit agencies providing services to Carrboro citizens.

Lillie Atwater, Chair of the Human Services Commission, presented the report from the Commission.

Alderman Herrera requested to be excused from voting on the El Futuro request for funding because his wife works for that organization.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK CHILTON TO EXCUSE ALDERMAN HERRERA FROM VOTING ON THE EL FUTURO FUNDING REQUEST. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ALLOCATE \$1,000.00 TO EL FUTURO, INC. IN THE 2005-06 BUDGET. VOTE: AFFIRMATIVE FIVE, ABSENT ONE (NELSON), EXCUSED ONE (HERRERA)

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

A RESOLUTION ACCEPTING THE RECOMMENDATIONS FROM  
THE HUMAN SERVICES ADVISORY BOARD FOR  
2005-06 HUMAN SERVICE FUNDING  
Resolution No. 155/2004-05

WHEREAS, the Town of Carrboro established as a policy to support human services agencies that provide invaluable services to Carrboro citizens; and

WHEREAS, forty-five agencies have applied for funding through the established Human Services funding process; and

WHEREAS, the Human Service Commission has met with all applicants that applied for funding in the 2005-06 funding cycle; and

WHEREAS, the town staff has indicated that the human services funding level for the year 2005-06 is \$117,600; and

WHEREAS, the total amount of funding requests for 2005-06 is \$201,863.00, including the amount being set aside for the Town of Carrboro's portion of the cost to develop a plan to End Homelessness in Orange County in Ten Years.

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

Section 1. There is \$117,600 available for allocation to the non-profits.

Section 2. That the Human Services Commission and the Board of Aldermen liaison has heard the requests from the applicants and is making a final recommendation for allocation of the available amount funds.

Section 3. The Carrboro Board of Aldermen approves the recommendation for funding by the Human Services Advisory Commission for budget year 2005-06.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

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**FINAL BUDGET INSTRUCTIONS TO THE TOWN MANAGER FOR THE FY2005-06 BUDGET**

By state law, the Board must approve a balanced budget for the Carrboro community by July 1<sup>st</sup> of each year. The purpose of this agenda item is to complete budget discussions and to approve a resolution instructing the Town Manager to develop a final draft of the budget for adoption by the Board. The Board may consider the budget ready for adoption and has the option of adopting the budget at tonight's meeting versus waiting until June 21<sup>st</sup>.

MOTION WAS MADE BY MARK CHILTON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "ANNUAL BUDGET ORDINANCE, TOWN OF CARRBORO, NORTH CAROLINA, FY2005-06." VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

The following resolution was introduced by Alderman Mark Chilton and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION ADOPTING THE CLASSIFICATION AND PAY PLAN  
FOR FISCAL YEAR 2005-2006  
Resolution No. 160/2004-05

WHEREAS, the Board of Aldermen adopts a comprehensive Position Classification and Pay Plan each year in conjunction with adopting an annual budget ordinance; and

WHEREAS, the town staff has prepared the 2005-06 Pay Plan.

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

Section 1. The Pay Plan, dated July 1, 2005 – June 30, 2006, a copy of which is attached to this resolution, is hereby adopted as the official Pay Plan for the 2005-2006 fiscal year.

Section 2. All previously adopted versions of the Classification and Pay Plans, which conflict with this resolution, are hereby repealed.

Section 3. The pay adjustments approved for the FY 2005-2006 budget shall become effective on the pay period beginning July 1.

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 June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

MOTION WAS MADE BY MARK CHILTON AND SECONDED BY JACQUELYN GIST TO ADOPT THE 2005-06 MISCELLANEOUS FEES AND CHARGES SCHEDULE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

The following resolution was introduced by Alderman Mark Chilton and duly seconded by Alderman Jacquelyn Gist.

REIMBURSEMENT RESOLUTION  
Resolution No. 161/2004-05

WHEREAS, the Town Manager, Steven E. Stewart, has described to the Board the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase installment financing.

BE IT RESOLVED by the Board of Aldermen as follows:

Section 1. The equipment and vehicles to be purchased in FY2005-06 include the following:

|   |                     |
|---|---------------------|
| Police Investigations vehicle - replace #173                                      | \$ 25,900           |
| Patrol Vehicles (6)   | \$ 144,000          |
| S.W Side Loading Refuse Truck - replace #53 (1995 EVO)                            | \$ 177,000          |
| S.W. Front Loading Refuse Truck - replace #51 (1995 White GMC)                    | \$ 169,000          |
| Planning and Zoning Pickup Truck - replace #163 (1995 Chev Caprice)               | \$ 17,900           |
| Mgt Svcs Pickup Truck - replace #007 with van                                     | \$ 22,900           |
| Simpson Street, Playground Equipment - (FY04-05 REQ)                              | \$ 15,000           |
| Wilson Pk, Ballfield Lites, + 1 Pole, Anderson Pk (FY04-05 REQ)                   | \$ 63,000           |
| Fire Truck  | \$ 350,000          |
| Anderson Park, Preschool Playgrd (FY04-05 REQ)                                    | \$ 30,000           |
| Patrol Vehicle Mobile Data Workstations (6)                                       | \$ 63,000           |
| ¾ Ton Pickup Truck, Street Division   | \$ 37,000           |
| Fire Escape Installation - Town Hall  | \$ 46,000           |
| 900 linear feet of outfall line (annexation)- <i>debt pmt to occur in fy06-07</i> | \$ 125,000          |
| Fire Alarm Systems - Town Hall / Public Works                                     | \$ 60,000           |
| <b>TOTAL</b>  | <b>\$ 1,345,700</b> |

Section 2. The expected type of financing (which may be subject to change) for the items above is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20. The currently expected maximum amount of obligations to be issued or contracted for the items is \$1,345,700.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for the aforementioned items are intended to be reimbursed from the financing proceeds up to an amount of \$1,345,700.

Section 4. The adoption of this resolution is intended as a declaration of the Town's official intent to reimburse project expenditures from financing proceeds.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

The following resolution was introduced by Alderman Mark Chilton and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION APPROVING COMPENSATION FOR  
APPOINTED AND ELECTED OFFICIALS  
Resolution No. 162/2004-05

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

Section 1. As with other employees, the Town Manager and Town Clerk shall be evaluated on their work anniversary dates and considered for an additional increase in salary based on work performance.

Section 2. The Board hereby approves a contract for legal services with the Brough Law Firm for Fiscal Year 2005-06 effective July 1, 2005.

Section 3. The Board approves a 5.0% increase for the Mayor and members of the Board of Aldermen for Fiscal Year 2005-06, effective July 1, 2005, reflecting the average overall increase in compensation for employees.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

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### **COURTESY REVIEW FOR BUTLER PROPERTY REDEVELOPMENT**

The purpose of this item was to honor a request by Bill Jackson, the developer for the Butler Property, to have the Board of Aldermen provide a courtesy review of the proposed condominium being proposed for this site.

Ray Butler asked for the town to work with Mr. Jackson to approve his project.

Bill Jackson presented the development proposal.

Mike Brough stated that the applicant has not submitted an application, and a decision of whether something is appropriate or inappropriate would not be allowed at tonight's meeting.

Alderman Zaffron expressed concern about the facade that is presented to Brewer Lane and the bikepath.

Alderman Chilton stated that where the developer goes with the elevation is very important. He suggested that the building be brick, and requested good pedestrian and bicycle flow through the project.

Alderman Gist suggested that the developer walk around town to look at Carr Mill, Weaver Street, and other older architecture.

Alderman Chilton suggested that the developer review the Board's recent discussion about downtown development guidelines.

Alderman Broun encouraged the developer to talk with Orange Community Housing and Land Trust about affordable housing.

Alderman Herrera suggested that the developer look at Carr Mill when designing his building and that he consider green building.

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### **REQUEST FOR MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR THE WINMORE VILLAGE MIXED USE PROJECT**

The Board was asked to review a request for a Minor Modification to the Conditional Use Permit for the Winmore Village Mixed Use project at 1400 Homestead Road. The request involves replacing CUP condition #37 with new language that offers further assurance to the Town of Carrboro that the affordable units within the development will be built. Town Staff requests that the Board of Aldermen review, deliberate, and make a decision on the CUP Minor Modification request.

Marty Roupe, the town's Zoning Administrator, made the presentation.

Eric Chupp stated that they would like to get the project started this summer and have submitted construction drawings to the town. He stated that he feels the proposed condition #37 will give the town more security to get the affordable housing built. He stated that they are looking at the N.C. Housing Finance Agency Tax Credit program and they would need to construct the project's infrastructure upfront to qualify for that program.

Mike Brough stated that the town staff feels the revised condition #37 strengthens the requirement that the affordable housing will be built.

Robert Dowling, with the Orange Community Housing and Land Trust, stated that the N.C. Housing Finance Agency Tax Credit program would be the best program to use.

Mr. Chupp presented a revision to condition #37.

The following resolution was introduced by Alderman Mark Chilton and duly seconded by Alderman Alex Zaffron.

A RESOLUTION APPROVING A MINOR MODIFICATION TO THE WINMORE VILLAGE MIXED USE  
CONDITIONAL USE PERMIT PROJECT AT 1400 HOMESTEAD ROAD  
Resolution No. 168/2004-05

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for the Winmore Village Mixed Use Project at 1400 Homestead Road on June 10, 2003; and

WHEREAS, the Town of Carrboro desires to see houses constructed in the Town's jurisdiction that meet the affordable housing criteria set forth in Section 15-184.2 of the Town's Land Use Ordinance; and

WHEREAS, CUP condition #37 was made a part of the original approval in part to ensure the timely construction of 48 affordable housing units within the development; and

WHEREAS, the applicant has provided alternate language related to the construction of 48 affordable housing units in the development; and

WHEREAS, the alternate language provides further assurance to the Town with regard to the construction of the 48 affordable housing units; and

WHEREAS, Town Staff has determined that such a request constitutes a Minor Modification to the Conditional Use Permit; and

WHEREAS, the applicant has met the criteria in the Town's Land Use Ordinance related to Minor Modifications.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Minor Modification to the Winmore Village Mixed Use Conditional Use Permit is hereby approved, subject to the following stipulation:

That CUP condition #37 on the original CUP document is hereby repealed in favor of a new CUP condition to read as follows:

(a) Prior to the issuance of a building permit authorizing construction of the 93<sup>rd</sup> residential unit within the Winmore VMU Project, approved under Conditional Use Permit dated June 10<sup>th</sup>, 2003, the Town of Carrboro must be able to verify the initiation of construction on the first 24-units of affordable housing. Verification shall be evidence by way of an approved building permit and at least 10% of the construction completed. In addition, prior to the issuance of a building permit authorizing construction of the 138<sup>th</sup> residential unit within the Winmore VMU Project, approved under Conditional Use Permit dated June 10, 2003, the Town of Carrboro must be able to verify the initiation of construction on the second 24-units of affordable housing. Verification shall be evidence by way of an approved building permit and at least 10% of the construction completed. A clearly visible note will be added to the final plat notifying potential lot purchasers of the building permit restrictions contained in this stipulation.

(b) The applicant will work in good faith to secure the N.C. Housing Finance Agency's tax credit equity financing. The tax credit application will include an option for Orange Community Housing and Land Trust or other competent 501 C-3 to purchase the affordable units at the end of the 15-year compliance period and include them in the Land Trust to provide permanently affordable rental housing. The application will exhaust all reasonable efforts to secure such financing within the structures of the approved conditional use permit before entertaining other affordable housing alternatives.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

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## **REPORT ON PRIORITIZATION OF ECOSYSTEM ENHANCEMENT PROGRAM STORMWATER PROJECTS**

The purpose of this item was to present a staff assessment of the stormwater projects listed in the Morgan & Little Creeks Local Watershed Plan Targeting of Management Report that was produced by the Ecosystem Enhancement Program of the NC Department of Environment and Natural Resources.

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

Alderman Broun expressed concern about the site at Wilson Park.

Mr. Stewart explained that Wilson Park is not being pursued as an EEP site.

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

A RESOLUTION DIRECTING STAFF TO ADVANCE DISCUSSIONS WITH THE ECOSYSTEM  
ENHANCEMENT PROGRAM ON STORMWATER AND STREAM RESTORATION PROJECTS IN  
CARRBORO

Resolution No. 157/2004-05

WHEREAS, the Carrboro Board of Aldermen seeks to partner with other local and state partners to assess opportunities for improving stormwater management and reducing export of nutrients and pollutants to Bolin and Morgan Creeks, as well as Jordan Lake, and

WHEREAS, the Town of Carrboro partnered with the North Carolina Ecosystem Enhancement Program (EEP; formerly the Wetlands Restoration Program) in a local watershed assessment and restoration project to assess the Carrboro watershed, select potential restoration projects, and follow up with implementation and monitoring of selected projects, and

WHEREAS, the NC EEP has completed the assessment project and listed 8 stormwater best management practice sites & 3 stream restoration sites in the “Targeting of Management” report,

WHEREAS, the NC EEP (formerly WRP) contract indicated in Section 2 item 3 that EEP agreed to “Implement one or more projects within the Town of Carrboro area based on feasibility studies, the NCWRP’s need for projects, as well as compatibility with town planning priorities,” and

WHEREAS, Town of Carrboro staff has evaluated possible projects with regard to Town of Carrboro interests.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager to sign the EEP ‘Site Proposal Form’ for Site 11 – ‘Carrboro Tracks’ which indicates to EEP that the town wishes to proceed to the next level in planning a stormwater BMP for that site. In addition, the Board of Aldermen directs staff to provide a facilitation role for other sites that received a “high” staff ranking.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

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**REPORT ON PERMITTING THRESHOLDS IN DOWNTOWN DEVELOPMENT**

During a worksession on architectural guidelines on March 8, 2005, the Board of Aldermen requested that staff provide a report on new thresholds for determining the permitting authority for commercial, multifamily residential, and mixed-use developments in downtown zoning district. A report on this matter has been prepared and a resolution is provided.

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

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

A RESOLUTION ACCEPTING THE REPORT ON PERMITTING THRESHOLDS IN DOWNTOWN  
DEVELOPMENT  
Resolution No. 170/2004-05

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

WHEREAS, the staff has prepared a report on thresholds for determining the permitting authority for commercial, multi-family residential, and mixed-use developments in downtown zoning districts.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accepts the report and requests that building over a certain square feet, gateway entrance locations or heights would trigger the requirement for a conditional use permit, entranceways and height, abuts an existing neighborhood.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 7th day of June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

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**A REQUEST TO APPROVE A POLICY TO ESTABLISH MONUMENTS ON TOWN PROPERTY**

Periodically, the Town receives requests to construct or allow the construction of plaques or other types of monuments on town property to memorialize persons or events. The Board asked staff to prepare a policy to address these requests. In order to adopt a uniform methodology, the Board of Aldermen was requested to approve the policy to establish monuments on town property.

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

A RESOLUTION TO ESTABLISH A POLICY FOR  
MONUMENTS ON TOWN PROPERTY  
Resolution No. 164/2004-05

WHEREAS, the town periodically receives requests to construct or allow the construction on town property of plaques or other types of monuments to memorialize persons or events; and

WHEREAS, the Board of Aldermen deems it appropriate to establish a procedure to receive and consider such requests;

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

Section 1. The Board hereby adopts the following:

POLICY ON THE APPROVAL OF MONUMENTS TO BE LOCATED  
ON TOWN PROPERTY

## **1. Definitions.**

For purposes of this policy, the term "monument" shall mean any plaque, statue, structure, tree, shrub, landscaping, or other object or thing constructed, erected, planted, or otherwise located on town-owned or leased property (and intended to remain on such property on a long-term basis) to commemorate or memorialize any person, place, or event. Historical markers erected by or with the authorization of the N.C. Department of Transportation within State maintained rights-of-way are exempted from this policy.

## **2. Origination of Proposals for Monuments**

Proposals for the erection of a monument may come to the Board of Aldermen in any of the following ways:

- (a) A member of the Board of Aldermen may suggest the monument.
- (b) An advisory board may make such a recommendation.
- (c) Any Carrboro citizen or group of citizens may request that a monument be erected. Such requests shall be submitted in writing and shall describe the type of monument requested, the proposed location, and the justification for the monument. The town may establish an application form that must be completed.

## **3. Staff Review of Proposals for Monuments**

The Board may refer any request for the erection of a monument to the staff for an analysis of the extent to which the proposed monument is consistent with the guidelines established in Section 4 of this policy.

## **4. Guidelines for Review of Proposals for Monuments**

In deciding whether to approve a proposed monument, the Board shall consider the following, in addition to any other matters that the Board deems relevant:

- (a) The general or local significance or prominence of the person, place, or event commemorated or memorialized.
- (b) Whether the person, place, or event commemorated or memorialized is significant, important, or relevant to the public generally, as opposed to a small group of persons.
- (c) Whether the monument's proposed location will be compatible with its surroundings.
- (d) The enduring quality and character of the materials used to create the monument.
- (e) The cost to the town of constructing, erecting, locating, and maintaining the monument.

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 June, 2005:

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

Noes: None

Absent or Excused: Michael Nelson

Mayor Pro Tem McDuffee requested that the town staff contact Stanley Peele prior to the Board taking action on a memorial in honor of his mother, Catherine Peele.

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**APPOINTMENTS TO OWASA BOARD**

Alderman Broun stated that she and Alderman Zaffron were recommending that Terri Buckner and Laura Sandvik be appointed to the town's two seats on the OWASA Board of Directors.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK CHILTON TO APPOINT TERRI BUCKNER AND LAURA SANDVIK TO THE TOWN'S TWO SEATS ON THE OWASA BOARD OF DIRECTORS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION AT 10:20 P.M. TO DISCUSS ACQUISITION OF PROPERTY. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

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Mayor Pro Tem

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Town Clerk