

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 21, 2005 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 7:35 p.m.)
	Diana McDuffee
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

PRESENTATION OF ORANGE COUNTY STATE OF THE ENVIRONMENT 2004 REPORT

Alice Gordon, a member of the Orange County Board of Commissioners, presented the State of the Environment 2004 Report. She stated that the report points out poor air quality, the threat of diminished water quantity, the lack of information about ground water quality, and the loss of biodiversity.

PRESENTATION OF CONCEPT PLAN FOR CAROLINA NORTH

James Carnahan, with the Village Project, stated that there would be a presentation on the concept plan for the Carolina North project on June 29th at 7:00 p.m. in the Chapel Hill Town Hall.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

The Board requested that approval of the minutes be delayed until June 28th.

REQUEST FOR PROPOSALS FOR VEHICLE LEASING

Annually, the Board of Aldermen, through its capital improvement plan, approves a schedule that provides for the purchase and replacement of vehicles and equipment through lease purchase financing. The Board of Aldermen is requested to adopt a resolution designating the installment purchase contracts for items listed below as tax-exempt obligations of the Town. This resolution represents the installment financing planned and budgeted for FY04-05. A budget amendment was needed to reflect the adjustments needed for lease purchase financing.

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

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT & VEHICLES, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

Resolution No. 173/2004-05

WHEREAS, the governing body of **TOWN OF CARRBORO, NORTH CAROLINA** (“Lessee”) desires to obtain certain equipment and vehicles (the “Equipment”) to the Master Lease Agreement (collectively, the “Lease”) with **SUNTRUST LEASING CORPORATION**, the form of which has been available for review by the governing body of Lessee prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with **NORTH CAROLINA CAPITAL MANAGEMENT TRUST** with **SUNTRUST LEASING CORPORATION** as the “Escrow Agent” pursuant to an Escrow Agreement between Lessee and the Escrow Agent (the “Escrow Agreement”) and will be applied to the acquisition of the Equipment and Vehicles in accordance with said Escrow Agreement; and

WHEREAS, Lessee has taken the necessary steps, including those relation to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment and Vehicles; and

WHEREAS, Lessee proposes to enter into the Lease with **SUNTRUST LEASING CORPORATION** and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS;

Section 1. It is hereby found and determined that the terms of the Lease and the Escrow Agreement (collectively, the Financing Documents”) in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment and Vehicles.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The Director of Finance of Lessee and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidences by such execution and delivery of the Financing Documents. The Town Clerk of the Lessee and any other officer of Lessee who shall have power to do so be, and each of t

Section 3. The proper officers of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the “Code”), Lessee hereby specifically designated the Lease as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK CHILTON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2004-05 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

REQUEST TO ADOPT A BUDGET AMENDMENT

A budget amendment is required to transfer funds from the Capital Reserve Fund to the General Fund to pay for OWASA subsidies (\$2,000 additional needed) for water and sewer connection fees and to fully budget the costs associated with the Lisa Drive and Quail Roost street paving projects.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK CHILTON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY2004-05 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

RESOLUTIONS REGARDING THE SPEED LIMIT ON UNION GROVE CHURCH ROAD AND A PORTION OF OLD NC 86

On June 7, 2005, the Board of Aldermen, in response to a request by Jay Bryan, asked Town staff to prepare resolutions in support of reducing the speed limit from 45 to 35 mph on Old NC 86 (from Old Fayetteville-Hillsborough Road to Eubanks Road) and from 55 to 45 mph on Union Grove Church Road. Town staff provided resolutions for the Board's consideration

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

A RESOLUTION REQUESTING THAT THE N.C. DEPARTMENT OF
TRANSPORTATION REDUCE THE SPEED LIMIT ON OLD NC 86
Resolution No. 179/2004-05

WHEREAS, the N.C. Department of Transportation reviews requests to lower speed limits on state-maintained roads that are within a municipality; and

WHEREAS, the speed limit on Old NC 86 from the intersection of Old Fayetteville Road and Hillsborough Road to Eubanks Road is currently 45 mph; and

WHEREAS, the Northern Transition Area Advisory Committee and Transportation Advisory Board have adopted resolutions in support of reducing the speed limit on Old NC 86.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen request that the speed limit on Old NC 86 from the intersection of Old Fayetteville Road and Hillsborough Road to just north of Eubanks Road be reduced from 45 mph to 35 mph.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

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

A RESOLUTION SUPPORTING A REDUCTION IN THE
THE SPEED LIMIT ON UNION GROVE CHURCH ROAD
Resolution No. 178/2004-05

WHEREAS, the N.C. Department of Transportation is authorized to set speed limits outside the corporate limits of a municipality on the basis of an engineering and traffic investigation; and

WHEREAS, the speed limit on Union Grove Church Road in Orange County's jurisdiction is currently 55 mph; and

WHEREAS, the Northern Transition Area Advisory Committee and Transportation Advisory Board have adopted resolutions in support of reducing the speed limit on Union Grove Church Road.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen support reducing the speed limits on Union Grove Church Road from 55 mph to 45 mph.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

REQUEST TO APPROVE DESIGNATION OF FUND BALANCE FOR FY2004-05 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED

The Town has identified several projects totaling \$103,727 within the FY2004-05 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, 2005. 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 Alex Zaffron and duly seconded by Alderman Mark Chilton.

A RESOLUTION RESERVING FUND BALANCE FOR FY2004-05
BUDGET ITEMS NOT YET SPENT OR ENCUMBERED
Resolution No. 171/2004-05

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
Future Fire Grant, Local Match	Fire Department	\$10,000
Arts Committee	Advisory Boards	\$822
Greenhouse Gas Inventory Grant, Local Match	Planning	\$4,388
Weaver St. Parking Lot	Public Works	\$22,500
Rand Road Project	Public Works	\$55,049
Traffic Calming Options	Public Works	\$4,500
Town Commons, Shade Sail for Playground Eqp	Recreation	\$500
Music Festival	Recreation	\$5,061
Poetry Festival	Recreation	\$907
TOTAL GENERAL FUND		\$103,727.00

Local Match, Fire Department Grant (\$10,000)- The FY04-05 Budget set aside a local match for a grant application to purchase a utility truck. The Fire Department would like to reserve this grant match for a future grant application for radios that will work with the County’s 800 Megahertz Radio

Local Match, Greenhouse Gas Inventory (\$4,388)- The Board has authorized the Town Manager to sign the contract to execute this grant project.

Rand Road Project- The Town received revenue of \$28,049 from the developers of Roberson Place subdivision via an expired letter of credit that will enable the Town to provide construction of a connecting roadway as well as resurfacing of Rand Road. In addition, the Planning Department is setting aside \$27,000 in engineering funds for project implementation.

Community Events: Several special community efforts and events have budgets that have unexpended funds remaining. Staff has requested that the funds be reserved for use in the upcoming year.

- Music Festival - \$5,061
- Poetry Festival - \$ 907
- Arts Committee - \$ 822

Weaver Street Parking Lot (\$22,500): Designated funds for this project will cover engineering costs and construction. The project will not occur until FY05-06.

Traffic Calming Devices or Other Suitable Alternatives: The FY03-04 budget set aside \$4,500 for traffic calming devices. However, no funds have been spent to date. The Board indicated at its June 15 board meeting that no traffic calming devices be considered via petition until the holistic review of options for lowering traffic speed are considered and adopted. Town staff recommends continuing to reserve these funds in the event that there is a cost for options considered in the upcoming year.

Town Commons – Sail Shade for Playground: The Board has contributed \$500 toward this project. With adequate fundraising, the project is expected to occur in the upcoming fiscal year.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING: REVISIONS TO CONNECTOR ROADS POLICY

On June 14, 2005 Town Staff provided a report to the Board of Aldermen on access issues in the Brewer Lane area. The Board of Aldermen received the report, requested that a public hearing be scheduled on modifications to the Connector Roads Plan, referred the item to the Planning Board, Economic Sustainability Commission, and Transportation Advisory Board, and requested that surrounding neighborhoods be notified of the public hearing. A resolution setting a public hearing for August 23, 2005 was provided.

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

A RESOLUTION CALLING A PUBLIC HEARING ON MODIFICATIONS
TO THE CONNECTOR ROADS PLAN
Resolution No. 176/2004-05

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 August 23, 2005, to consider adopting modifications to the Connector Roads Plan.

BE IT FURTHER RESOLVED that the proposed modifications are referred to the Planning Board, Economic Sustainability Commission, and Transportation Advisory Board and that surrounding neighborhoods be notified of the public hearing.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

A REQUEST TO ADOPT A BUDGET ORDINANCE TO CREATE A BOND FUND

The Board was requested to adopt a budget amendment that removes the bond-funded sidewalk and greenway projects from the Capital Fund and establishes a new fund under which these projects are managed. This budget amendment also advances cash from the Capital Reserve Fund to the Bond Fund to complete the engineering and design costs for the bond-funded sidewalk projects.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK CHILTON TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2004-05 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

A REQUEST TO SET A PUBLIC HEARING ON A STREET CLOSING REQUEST TO ACCOMMODATE THE FOUR ON THE FOURTH ROAD RACE

Cardinal Track Club has submitted a Street Closing Permit Application for the temporary closing of the following streets from 7:55 am to 9:00 am on Monday, July 4, 2005 to accommodate the *Four on the Fourth Road Race*: Old Fayetteville Road, Carol Street, Lorraine Street, Hillsborough Road, West Main Street, and James Street. 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. The town staff requested that the Board adopt a resolution setting a public hearing for June 28, 2005.

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

A RESOLUTION SETTING A PUBLIC HEARING ON A
STREET CLOSING REQUEST TO
ACCOMMODATE THE FOUR ON THE FOURTH ROAD RACE
Resolution No. 175/2004-05

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that June 28, 2005 at 7:30 pm is hereby set as the date for a public hearing on the request that certain town streets be closed from 7:55 am to 9:00 am to accommodate the Four on the Fourth Road Race.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

TOWN CODE AMENDMENT SETTING PARKING TIME LIMITS ON ROSEMARY AND BOYD STREETS

Town staff has prepared amendments to the Town Code related to on-street parking on Rosemary and Boyd Streets. Staff recommended that the Board of Aldermen adopt the ordinance amending the Town Code.

Dale McKeel, the town's Transportation Planner, made a presentation.

James Harris, the town's Community and Economic Development Director, stated that he had met with some of the downtown business areas and reviewed the parking changes.

Alderman Broun requested that parking be allowed on Sundays.

MOTION WAS MADE BY MARK CHILTON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE RELATED TO ON-STREET PARKING ON ROSEMARY STREET, AS AMENDED TO READ: "PARKING FOR NOT MORE THAN ONE HOUR, BETWEEN 7:00 A.M. AND 5:30 P.M. MONDAY THROUGH SATURDAY." VOTE: AFFIRMATIVE ALL

NATIONAL RECREATION AND PARKS MONTH

Mayor Nelson read a proclamation proclaiming July as National Recreation and Parks Month and presented that proclamation to members of the Recreation and Parks Department.

A REQUEST TO ADOPT A REVISED CHAPTER 4 (PERSONNEL POLICIES) OF THE TOWN CODE

The purpose of this item was for the Board of Aldermen to consider adopting the revised version of Chapter 4 (Personnel Policies) of the Carrboro Town Code.

Desiree White, the town's Personnel Director, pointed out the sections of the ordinance that were modified since last week's worksession.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "TOWN OF CARRBORO PERSONNEL POLICY." VOTE: AFFIRMATIVE ALL

A REQUEST FOR A MINOR MODIFICATION TO THE TWIN MAGNOLIAS CONDITIONAL USE PERMIT

Williams Construction Company is requesting a Minor Modification to the original Twin Magnolias Condominiums Conditional Use Permit, originally issued by the Board of Aldermen on November 12, 2002. The modification would allow the existing single-family residence to be subdivided from the twenty-two (22) built condominiums. Town Staff requested that the Board review, deliberate, and make a decision on the Minor Modification request.

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

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE
TWIN MAGNOLIAS CONDITIONAL USE PERMIT
Resolution No. 174/2004-05

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a condominium development at 107 Jones Ferry Road on November 12, 2002; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any substantial change shall constitute a minor modification to the original Conditional Use Permit; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications as contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen hereby approve the Minor Modification to the Twin Magnolias Conditional Use Permit. Approval allows the existing single-family residence to be subdivided from the twenty-two (22) “newly” built condominiums. The resolution is hereby approved, subject to the following condition:

- That a shared access and maintenance easement agreement be recorded with the Orange County Register of Deeds at the same time as the minor subdivision plat. The agreement shall clearly allow residents and guests of the condominiums to traverse the portion of sidewalk contained on the newly-created single-family lot. It also must clearly specify arrangements for maintenance.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

A REQUEST RELATED TO THE CARRBORO V. LAURENCE HAYES LAWSUIT

On June 7, 2005, Mr. Larry Hayes requested that the Board of Aldermen grant an extension to the date on which payment of civil penalties was otherwise due, in relation to the matter of the *Town of Carrboro v. Laurence Hayes*. As requested by the Board, staff is offering a recommendation on this matter by way of this agenda item. Town Staff requested that the Board review, deliberate, and make a decision on the extension request from Mr. Larry Hayes.

MOTION WAS MADE BY AZ AND SECONDED BY JACQUELYN GIST TO GRANT ONE 30-DAY EXTENSION ON THE SALE OF THE PROPERTY FOR MR. HAYES TO PAY HIS JUDGEMENT IN FULL. (FROM JULY 5TH TO AUGUST 5TH) Alderman Zaffron withdrew his motion.

REPORT ON REZONING OPTIONS FOR THE BREWER LANE AREA

The Board of Aldermen requested that staff provide options for rezoning property in the Brewer Lane area to B-1(c) or B-1(g). A resolution accepting this report was provided.

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

Alderman Broun suggested that the Economic Sustainability Committee be involved in reviewing development plans for properties located downtown. She also expressed interest in moderately priced housing in this area.

Alderman Gist asked that the town staff bring back a report on having downtown projects come before the Board of Aldermen for consideration.

Alderman Broun asked for examples of when the town has used the provisions of Section 15-128.1 of the Land Use Ordinance.

Alderman McDuffee stated that it will be difficult to prevent anything other than student housing and is interested in changing zone so that affordable housing could be built.

Mayor Nelson stated that the current zoning is not consistent with what the community has decided it wants downtown. He is interested in pursuing a zoning change and wants to hear from neighbors about what they want and what the community wants. He stated that there are significant traffic issues.

Alderman Zaffron stated that the Board should move expeditiously to change zoning in this area.

Mayor Nelson suggested that a building moratorium be placed on the R-2 zoning district until the Board completes its review of zoning changes.

Alderman Chilton asked to be excused from voting relating to a moratorium because he owns property in the R-2 zoning district.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO REQUEST THAT THE TOWN STAFF PREPARE AN AGENDA ITEM FOR THE JUNE 28TH BOARD MEETING SETTING A PUBLIC HEARING ON A DEVELOPMENT MORATORIUM IN THE R-2 ZONING DISTRICT AND THAT ALDERMAN CHILTON BE EXCUSED FROM VOTING ON THIS MATTER. VOTE: AFFIRMATIVE SIX, EXCUSED ONE (CHILTON)

REPORT ON ACTIVITY IN THE NORTHERN STUDY AREA SINCE ADOPTION OF THE NORTHERN STUDY AREA PLAN

In follow-up to a worksession on April 12th regarding commercial zoning opportunities in Carrboro's Northern Study Area, the Board of Aldermen requested a report on activity in that area since the Facilitated Small Area Plan for Carrboro's Northern Study Area was adopted. A resolution accepting the report was provided.

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

Alderman Broun stated that it would have been helpful if the staff had indicated which developments were in which area. She stated that the town needs developments that encourage use of busses.

The Board asked for a staff report containing more explanation on where we are, what the history is for commercial uses, the history of commitments, and where the floating zone could be located.

A REQUEST TO ADOPT A REVISED POLICY STATEMENT FOR COURTESY REVIEWS OF POTENTIAL CONDITIONAL USE PERMIT PROJECTS PRIOR TO THE FORMAL SUBMITTAL OF A LAND USE ORDINANCE PERMIT APPLICATION

At its February 1, 2005 meeting, the Board of Aldermen adopted a resolution that established a formal procedure for Board review of potential Conditional Use Permit development applications. Since that time, staff has encountered multiple situations wherein a potential applicant wishes to bring before the Board a matter, which may be more appropriately considered within a public hearing forum. Consequently, the Board was asked to review the information provided and consider adopting a revised resolution, which would better define and clarify when it is appropriate to seek Board review of potential Conditional Use Permit development projects prior to the formally submitting a Land Use Permit Application.

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

A RESOLUTION ESTABLISHING A REVISED PROCEDURE FOR THE VOLUNTARY SUBMITTAL
OF CONDITIONAL USE PERMIT DEVELOPMENT CONCEPT PLANS
FOR REVIEW BY THE BOARD OF ALDERMEN
Resolution No. 181/2004-05

WHEREAS, the Carrboro Board of Aldermen desires to see quality development and redevelopment projects throughout the Town's planning jurisdiction; and

WHEREAS, it is in the interests of all citizens of Carrboro that development take place in a manner that positively contributes to the community both socially and economically; and

WHEREAS, potential Conditional Use Permit development projects may benefit from the Board of Aldermen providing general guidance in a nonbinding manner prior to substantial investment by private parties; and

WHEREAS, the Board of Aldermen adopted a resolution on February 1, 2005 that formally established a voluntary procedure under which individuals may meet with the Board of Aldermen, if they choose to do so, to discuss conceptual project plans prior to formally submitting a Conditional Use Permit Application; and

WHEREAS, since February 1, 2005, the Town Staff has encountered multiple situations wherein a potential applicant wishes to bring before the Board a matter, which may be more appropriately considered within a public hearing forum.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that a revised procedure is hereby adopted for Board review of potential Conditional Use Permit development projects prior to the formal submittal of Land Use Permit Applications. The revised procedure will be administered as follows:

- The Town Manager, in consultation with appropriate staff, will determine whether a courtesy review request is acceptable. A decision will be reached after considering the size and complexity of the potential project, the extent to which ambiguities may exist regarding existing policies or plans that relate to the potential project, and the arrangement of facilities or site elements, among other relevant factors.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of June, 2005:

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

Noes: None

Absent or Excused: None

CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2005-06

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK CHILTON TO APPROVE THE TOWN ATTORNEY'S CONTRACT FOR 2005-06 BASED ON NUMBER OF HOURS WORKED, BUT NOT TO EXCEED \$100,000. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALDERMAN JACQUELYN GIST TO AJOURN THE MEETING AT 9:37 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk

