

A worksession of the Carrboro Board of Aldermen was held on Tuesday, September 13, 2005 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor Pro Tem	Diana McDuffee
Aldermen	Mark Chilton
	Jacquelyn Gist
	John Herrera
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Deputy Town Clerk	Sharmin E. Mirman

Absent:

Mayor	Michael Nelson
Alderman	Joal Hall Broun

CARRBORO COMMUNITY BOOK FORUM

Mayor Pro Tem McDuffee invited citizens to come to a Cybrary-sponsored event at the Century Center on Thursday, September 15th at 7:00pm. Author Tim Tyson, author of *Blood Done Sign My Name* will lead the panel discussion.

She also mentioned another upcoming Cybrary-sponsored event on September 28th. She suggested that citizens read Richard Florida's Book entitled, "The Rise of the Creative Class: How It's Transforming Work, Leisure, Community, and Everyday Life" because it is of interest to us in Carrboro regarding our economic development.

*****.

CARRBORO MUSIC FESTIVAL

Mayor Pro Tem Diana McDuffee announced that the Carrboro Music Festival would be held on Sunday, September 25th from 1:00 pm until midnight.

SOUTHEASTERN BARISTA CHAMPIONSHIPS

Alderman Herrera congratulated the owner of The Open Eye Café for finishing in second place in the Southeastern Barista Championships. For more information go to: www.openeyecafe.com

WORKSESSION TO REVIEW TOWN CODE PROVISIONS DEALING WITH RESTRICTIONS ON COMMERCIAL ACTIVITY ON TOWN PROPERTY

The Board of Aldermen was requested to review Section 14-20 of the Town Code and consider revising the ordinance to allow non-profit organizations to plan and implement community-oriented events and commercial activity on park property.

Doris Murrell, Recreation and Parks Commission Chair, made the presentation.

Alderman Gist asked if the Town Code could be amended so nonprofit organizations can sell on town property.

Mayor Pro Tem McDuffee asked if there are different rules for parks and the Town Commons.

Kokeita Miller, the town's Facilities Administrator, addressed the Board.

Mayor Pro Tem McDuffee asked if we can give food away and ask for donations at the Century Center, then why not at the Town Commons.

Alderman Gist stated that Weaver Street Market stopped selling food on Thursdays and Sundays because they were told that they could not do it but that charities could do it to raise money without going through the health department hoops. She asked why non-profits are held to different standards.

Alderman Herrera stated that there are two separate issues: one is commercial and raising money and the other one is free. People who are not certified need to follow health department regulations that are enforced for a one-time event.

Mayor Pro Tem McDuffee suggested that we decide what we want to have happen on Town Commons and park property and have the staff come up with regulations to meet that. She would like the Fiesta to be able to have food without the organization having to pay for the food and eat the cost of it. That is a goal we want for our park property and town commons. She stated that she wanted fundraising to be allowed.

Alderman Gist asked that we differentiate between a commercial enterprise and a fundraising enterprise.

Mr. Stewart stated it is possible for the town to be a co-sponsor and still require that a group have their own liability insurance. He stated that he had asked staff to look at what co-sponsorship really means because it is muddled now. Most groups use the co-sponsorship to avoid paying associated fees. If there is a violation and we do not require organizations to have insurance, it could come back on the town.

It was the consensus of the Board to request that the town staff prepare an amendment to Section 14-20 of the Town Code to allow nonprofits to conduct fundraisers on town property, that the town staff review health code requirements, and define town co-sponsorship.

A REPORT ON STATE AND FEDERAL CABLE LEGISLATION

Bob Sepe, the town's cable consultant provided the Board with a brief overview of proposed state and federal cable legislation and the potential impact on local governments. He summarized the provisions of the following bills:

HB -327- Technical Corrections Bill
S 1504- Broadband Investment and Consumer Choice Act
HR 3146 and S 1346 Video Choice

Mayor Pro Tem Diana McDuffee asked if there are any consumer groups lobbying against the bills.

Mr. Sepe stated that there are several groups are rallying the troops, but the problem is that this gets mixed up with a bunch of other issues and it is seen as an issue that does not hurt anybody. If we approach Bellsouth and ask when they are going to start building here, they do not have to answer.

Mayor Pro Tem Diana McDuffee said it is depressing and a “puny” response to send the letter to legislators opposing the legislation.

Mr. Sepe stated that he knew it was an uphill struggle, but we have to send the message to legislators that we are knowledgeable and we cannot be fooled.

A MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO HAVE MAYOR NELSON SEND THE LETTER OPPOSING THE PROPOSED BILLS TO SENATORS DOLE AND BURR. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (NELSON AND BROWN)

Alderman Herrera and Alderman Zaffron agreed to contact Congressman Price to discuss the town’s concerns about the proposed legislation.

Alderman Herrera asked Mr. Sepe for a list of political contributions.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO ADJOURN THE MEETING AT 8:33 P.M. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (NELSON, BROWN)

Mayor Pro Tem

Deputy Town Clerk