

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 21, 2006 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Dan Coleman
	Jacquelyn Gist
	John Herrera
	Randee Haven-O'Donnell
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

### **CERTIFICATE OF APPRECIATION PRESENTED**

Mayor Chilton presented a certificate of appreciation to Catherine DeVine for her service to the town while serving on the Appearance Commission/NPDC.

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### **CHARGES ISSUED**

The Town Clerk issued charges to Earleen Burch, a recent appointee to the Human Services Commission, and Casey Robertson, a recent appointee to the Arts Committee.

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### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO APPROVE THE MARCH 7 AND 14, 2006 MINUTES. VOTE: AFFIRMATIVE ALL

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### **A MINOR MODIFICATION TO THE TOWN HALL TELECOMMUNICATIONS TOWER CONDITIONAL USE PERMIT**

Clearwire, LLC has applied for a minor modification to the Town Hall Telecommunications Tower located at 301 West Main Street. The proposed minor modification consists of adding a new antenna to the tower as well as installing equipment within the existing fenced in area at the base of the tower. This co-location is for mobile Internet use and is not associated with cellular phone usage. Per Section 15-176 (15) of the Land Use Ordinance (LUO), additional antenna arrays located on existing towers must be approved through the minor modification process. The town staff recommended approval of the request.

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

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE  
TOWN HALL TELECOMMUNICATION TOWER  
LOCATED AT 301 WEST MAIN STREET  
Resolution No. 90/2005-06

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 301 West Main Street on November 22, 1998; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that additional users on a tower 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 for towers contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the minor modification to the Town Hall Telecommunication Tower located at 301 West Main Street allowing Clearwire, LLC to install an antenna on the tower and install additional equipment within the fenced in area at the base of the tower, is hereby approved.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of March, 2006:

Ayes: Mark Chilton, Joal Hall Broun, Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: None

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**A MINOR MODIFICATION TO THE CROWN CASTLE TELECOMMUNICATIONS TOWER  
CONDITIONAL USE PERMIT LOCATED AT 200 REDFOOT ROAD**

Clearwire, LLC has applied for a minor modification to the Crown Castle Telecommunications Tower located at 200 Redfoot Road. The proposed minor modification consists of adding a new antenna to the tower as well as installing equipment within the existing fenced in area at the base of the tower. This co-location is for mobile Internet use and is not associated with cellular phone usage. Per Section 15-176 (15) of the Land Use Ordinance (LUO), additional antenna arrays located on existing towers must be approved through the minor modification process. The town staff recommended approval of the request.

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

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE  
CROWN CASTLE TELECOMMUNICATION TOWER LOCATED AT  
200 REDFOOT ROAD  
Resolution No. 88/2005-06

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 625 Old Fayetteville Road on June 25<sup>th</sup>, 1996; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that additional users on a tower 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 for towers contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the minor modification to the Crown Castle Telecommunication Tower located at 200 Redfoot Road allowing Clearwire, LLC to install an antenna on the tower and install additional equipment within the fenced in area at the base of the tower.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of March, 2006:

Ayes: Mark Chilton, Joal Hall Broun, Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: None

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**A MINOR MODIFICATION TO THE CROWN CASTLE TELECOMMUNICATIONS TOWER  
CONDITIONAL USE PERMIT LOCATED AT 625 OLD FAYETTEVILLE ROAD**

Clearwire, LLC has applied for a minor modification to the Crown Castle Telecommunications Tower located at 625 Old Fayetteville Road. The Crown Castle Telecommunications Tower was last amended on September 16, 2003(to allow the installation of an additional antenna to the tower as well as installing equipment within the existing fenced in area). The proposed minor modification consists of adding a new antenna to the tower as well as installing equipment (3 foot x 3 foot pad) within the existing fenced in area at the base of the tower. This co-location is for mobile Internet use and is not associated with cellular phone usage. Per Section 15-176 (15) of the Land Use Ordinance (LUO), additional antenna arrays located on existing towers must be approved through the minor modification process. The town staff recommended that the Board of Aldermen approve the request.

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

**A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE  
CROWN CASTLE TELECOMMUNICATION TOWER LOCATED AT  
625 OLD FAYETTEVILLE ROAD  
Resolution No. 89/2005-06**

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 625 Old Fayetteville Road on February 9, 1999; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that additional users on a tower 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 for towers contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the minor modification to the Crown Castle Telecommunication Tower located at 625 Old Fayetteville Road allowing Clearwire, LLC to install an antenna on the tower and install additional equipment within the fenced in area at the base of the tower, is hereby approved.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of March, 2006:

Ayes: Mark Chilton, Joal Hall Broun, Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: None

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### **APPOINTMENT TO THE ECONOMIC SUSTAINABILITY COMMISSION**

The purpose of this item was for the Mayor and Board of Aldermen to consider appointing Alena Callimanis to the Economic Sustainability Commission.

Alderman Coleman stated that there were several strong applications for the vacant seat on the ESC and would like more information on why Ms. Callimanis should be appointed.

Alderman Zaffron stated that Ms. Callimanis had attended a meeting of the ESC and had been a strong participant in that meeting and she has a background in economic development.

Alderman Gist suggested that the Board consider establishing a residents committee as a subgroup of the Economic Sustainability Commission.

Alderman Herrera suggested that the membership of the Economic Sustainability Commission be increased.

Alderman Zaffron reminded the Board that it had just recently expanded the membership and mission of the Economic Sustainability Commission.

Alderman Coleman suggested a cover sheet to accompany the application form that directs applicants to indicate their relevant experience and background.

Alderman Broun suggested that a form be created for use by advisory board chairs to use when making recommended appointments.

Mr. Stewart stated that the town staff was bringing an agenda item to the April 4<sup>th</sup> meeting for the Board to review the Guidelines for Selecting Advisory Board Members.

Alderman Broun stated that although citizens are not appointed to advisory boards, they could certainly attend and participate in discussions.

Alderman Gist stated that the advisory board chairs should be informed of this.

Alderman Zaffron suggested that the ESC consider confidential information when considering applications for the Revolving Loan Fund.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE  
ECONOMIC SUSTAINABILITY COMMISSION

Resolution No. 93/2005-06

WHEREAS, there is currently one vacant at-large seat on the Economic Sustainability Commission (ESC); and

WHEREAS, this position has been advertised and the Town Clerk has received applications; and

WHEREAS, these applications were forwarded to the Chair of the ESC for review and consideration; and

WHEREAS, the Chair of the ESC is recommending that Alena Callimanis be appointed to the vacant seat.

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

Section 1. The Board of Aldermen hereby appoints Alena Callimanis to an at-large seat on the Economic Sustainability Commission. Ms. Callimanis' term shall expire in February 2008.

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 21st day of March, 2006:

Ayes: Mark Chilton, Joal Hall Broun, Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell,  
Alex Zaffron

Noes: None

Absent or Excused: None

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**MONUMENT APPLICATION FOR A DECEASED GUIDE DOG**

The purpose of this agenda item was for the Board of Aldermen to consider whether an application for a monument to a guide dog is consistent with the guidelines of Section 4 in the Policy for Monuments Located on Town Property, and whether or not to approve the installation of the monument.

Danielle Iredale made a presentation. She stated that she was not requesting any funding from the town for the monument, and that if she leaves the Carrboro area, she would take the monument with her.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Dan Coleman.

A RESOLUTION APPROVING AN APPLICATION FOR A MONUMENT

Resolution No. 86/2005-06

WHEREAS, the Carrboro Board of Aldermen received a monument application from Danielle "Aoife" Iredale for her deceased guide dog, named Inka; and

WHEREAS, guide dogs provide an invaluable service to the Carrboro community; and

WHEREAS, the tragic death of Inka has highlighted for our community the importance of guide dogs.

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN:

Section 1. The Board of Aldermen discussed whether an application for a monument to a guide dog is consistent with the guidelines of Section 4 in the Policy for Monuments Located on Town Property.

Section 2. The Board of Aldermen approves the installation of this monument.

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 21st day of March, 2006:

Ayes: Mark Chilton, Joal Hall Broun, Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: None

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### **REPORT ON ALTERNATIVE SOLUTIONS FOR PERMITTING REQUIREMENTS IN DOWNTOWN DEVELOPMENT**

In October 2005, the Board of Aldermen amended the Land Use Ordinance to require conditional use permit approval for new downtown buildings over two stories or 35 feet in height. The Board expressed an interest in pursuing other alternative permitting threshold mechanisms to ensure that new downtown development receives an appropriate level of review. A report on this matter has been prepared and a resolution was provided.

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

Alderman Broun asked for the median square footage of buildings in the downtown. She also asked that information be provided on the amount of square footage of each building constructed over the next three years.

Alderman Coleman asked for a definition of economic sustainability.

[The Board took no action on this matter.]

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### **DISCUSSION OF CREATING THE NEW HORIZONS COMMITTEE**

The Board of Alderman, during its retreat on February 4-5, 2006, set community building as a primary goal and discussed opportunities for achieving this goal. The New Horizons Task Force will act as a natural communication conduit to the Board of Aldermen for the newly incorporated areas to address transition interests and concerns not addressed by other Town advisory boards, committees, or commissions.

Mayor Chilton stated that residents from the annexation area had requested that action on this matter be delayed until April 4<sup>th</sup>.

Alderman Broun asked how agendas and minutes would be made available.

MOTION WAS MADE BY ALEX ZAFFRON AND DULY SECONDED BY ALDERMAN JOAL HALL BROUN TO TABLE DISCUSSION OF THIS MATTER UNTIL APRIL 4<sup>TH</sup>. VOTE: AFFIRAMTIVE ALL

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**APPOINTMENTS TO CHAPEL HILL'S SMALL AREA PLAN COMMITTEE TO COORDINATE DEVELOPMENT PLANS IN THE WEST FRANKLIN, WEST ROSEMARY, AND MAIN STREET AREA**

The Chapel Hill Town Council requests that the Carrboro Board of Aldermen appoint representatives to join two of their members in a Small Area Plan process that will help coordinate development plans in the West Franklin, West Rosemary, and Main Street area near the border between the two towns.

Alderman Zaffron expressed concern about the size of the study area.

It was the consensus of the Board to request that the town staff redraft the resolution outlining the scope of work and geographical area under study.

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**MARCH 30<sup>TH</sup> ASSEMBLY OF GOVERNMENTS MEETING**

Mayor Chilton reviewed the proposed agenda for the March 30<sup>th</sup> Assembly of Governments meeting.

Alderman Broun requested a list of all sites considered by Orange County for a future transfer station.

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**REQUEST FOR REPORT ON BANNING CELL PHONE USAGE WHILE DRIVING**

Alderman Gist requested a report from the Town Attorney on the possibility of prohibiting drivers from using cell phones while driving.

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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 9:25 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk