

A regular meeting of the Carrboro Board of Aldermen was held on Wednesday, May 3, 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

ORANGE COUNTY PEACE COALITION REQUEST

Wes Hare, Co-Chair of the Orange County Peace Coalition, requested that the town consider co-sponsoring a Memorial Day celebration so that they will not be required to purchase \$2 million in liability insurance coverage.

Mr. Stewart stated that the town staff would be bringing back a report in June addressing liability insurance on town property.

Mayor Chilton asked that Mr. Hare submit a letter to his office outlining his request for co-sponsorship.

Alderman Coleman asked that the town staff research what the \$2 million liability insurance would cost.

CARRBORO HISTORIC BUILDING PLAQUE PROGRAM

Catherine DeVine (a former member of the Appearance Commission) and Tom Wiltberger (a current member of the Appearance Commission) presented a proposal for a Carrboro historic plaque program. They asked for the Board's approval to use currently budgetedunds for the Appearance Commission for start-up printing and postage and routine staff support. They stated that property owners would purchase their own plaques.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO AUTHORIZE THE USE OF CURRENTLY BUDGET APPEARANCE COMMISSION FUNDS FOR START-UP PRINTING AND POSTAGE FOR THE HISTORIC PLAQUE PROGRAM. VOTE: AFFIRMATIVE ALL

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE APRIL 11 AND 18, 2006 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING: CONDITIONAL USE PERMIT REQUEST FOR THE JONES PROPERTY ARCHITECTURALLY INTEGRATED SUBDIVISION

1st American Builders, as represented Coulter, Jewell, Thames, P.A. has submitted an application for the construction of a 64 lot, 64 dwelling unit subdivision located at 8112 Old NC 86. Prior to reaching a decision on a request for a CUP, the Board must hold a public hearing to receive input. The town staff recommended that the Board set a public hearing for June 27, 2006 for consideration of the conditional use permit request.

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

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED JONES PROPERTY ARCHITECTURALLY INTEGRATED SUBDIVISION
LOCATED AT 8112 OLD NC 86
Resolution No. 113/2005-06

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed projects; and

WHEREAS, an application has been received for a conditional use permit for the Jones Property AIS on 8112 Old NC 86.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 27, 2006 to discuss comment on the proposed Jones Property AIS project.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of May, 2006:

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

Noes: None

Absent or Excused: None

RESOLUTION ACCEPTING THE SALE PRICE AND TRANSACTION COSTS IN EXCHANGE FOR TRANSFER OF A PARCEL AT THE SOUTHWEST CORNER OF BROAD AND HILL STREETS FROM ORANGE COUNTY TO THE TOWN OF CARRBORO

In exchange for selling a requested parcel of land to the Town of Carrboro for \$1, the Orange County Board of Commissioners has requested that the Town cover minimal transaction costs. The purpose of this item was for the Board of Aldermen to consider accepting this burden as the price for the 0.2-acre parcel at the SW corner of Broad and Hill Streets (TMBL 7.93.F.2). The parcel is across the street from Baldwin Park.

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

A RESOLUTION ACCEPTING THE \$1 SALE PRICE AND TRANSACTON COSTS IN EXCHANGE FOR THE TRANSFER OF THE PARCEL (TMBL 7.93.F.2)
AT THE SOUTHWEST CORNER OF BROAD AND HILL STREETS FROM
ORANGE COUNTY TO THE TOWN OF CARRBORO
Resolution No. 121/2005-06

WHEREAS, the Town requested transfer of this property to enhance Baldwin Park and stream stewardship, and Carrboro Board of Aldermen

WHEREAS, the Orange County Board of Commissioners have agreed to the transfer for the sale price of \$1.00 plus transaction costs.

NOW THEREFORE LET IT BE RESOLVED, that the Carrboro Board of Aldermen accepts these costs and thereby approves the transfer of this parcel from the County to Town ownership.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of May, 2006:

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

Noes: None

Absent or Excused: None

PRESENTATION OF THE MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2006-07

By state law, the Town Manager is responsible for submitting a balanced budget for the Carrboro community to the Mayor and Board of Aldermen by June 1st. Tonight, the Board was presented with the FY2006-07 Recommended Budget. The recommended budget is submitted earlier than required by law so that the Board and community have sufficient time to discuss the initiatives proposed in the budget.

Mr. Stewart presented the Manager's Recommended Budget for FY 2006-07.

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

A RESOLUTION APPROVING THE BUDGET WORK SESSION
SCHEDULE FOR REVIEW AND CONSIDERATION OF THE
MANAGER'S RECOMMENDED BUDGET FOR THE FISCAL YEAR 2006-07
Resolution No. 120/2005-06

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

Section 1. The following budget work session schedule is approved for review and consideration of the Manager's Recommended Budget for Fiscal Year 2006-07:

Tuesday, May 9th

- Performance Benchmarking Project, Bill Rivenbark, Professor, UNC-CH School of Government
- Employee Market Study, John Maxwell, Principal, Springsted, Inc
- 800 MHz Radio County-wide Conversion, Jack Ball, Orange County Director of Emergency Management

Thursday, May 18th

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The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of May, 2006:

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

Noes: None

Absent or Excused: None

PRESENTATION OF INTERIM REPORT ON DEVELOPMENT OF SOLID WASTE MANAGEMENT PLAN

Gayle Wilson, Orange County Solid Waste Management Director, presented an interim report on the development of a solid waste management plan. The Board was requested to accept this report.

Blair Pollack made the presentation.

Alderman Broun asked for a report on pay as you throw and data on Orange County's waste sort.

Alderman Herrera suggested selling advertisements on recycling containers and on bike racks.

Alderman Coleman stated that he was opposed to commercial advertisement on public property. He mentioned that the Vision 2020 report supports pay-as-you-throw and neighborhood composting.

Alderman Zaffron asked for data on the relationship between family income and waste generation.

Alderman Broun stated that the Board needed to have a discussion of where the waste goes.

Gayle Wilson stated that there are transfer facilities in Durham and RTP. He stated that Orange County officials had met with City of Durham officials about joining that transfer station along with other options.

Bob Kirschner expressed concern that townhome communities have to pay for their cardboard dumpsters and the pick up of that cardboard.

Mr. Wilson stated that cardboard is not currently collected curbside in residential areas.

It was the consensus of the Board to hold a worksession to further discuss solid waste issues.

CHARTER AMENDMENT CLARIFYING THE FILLING OF BOARD VACANCIES

At its meeting on April 11th, the Board asked the town attorney to draft an amendment to the town charter clarifying the language of Section 2-2(d), which provides that, when a vacancy on the board is filled at a general election, the person receiving the fourth highest number of votes at the general election is elected for the two years remaining on the term of the vacant seat. A charter amendment that clarifies the intent of the current provision, but does not change its meaning, was presented.

Bob Kirschner suggested that a provision be added to the charter so that if a vacancy was anticipated to occur as a result of an election, that the additional votee would fill the position. Citizens would be able to make appropriate choices during the election.

Glynis Gore spoke against the process used by the Board following the 2005 election.

Katrina Ryan stated that it is contradictory to the democratic process to appoint rather than to elect.

Rick Tanner stated that appointing someone that is not accountable to the voters is not democracy. He urged the Board to vote for democracy.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Dan Coleman.

A RESOLUTION DIRECTING THE TOWN ATTORNEY
TO SUBMIT TO THE TOWN'S LEGISLATIVE DELEGATION
THE DRAFT BILL TO AMEND THE CARRBORO TOWN CHARTER
TO CLARIFY THE PROCESS FOR FILLING VACANT SEATS
ON THE BOARD OF ALDERMEN
Resolution No. 114/2005-06

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

Section 1. The Board of Aldermen hereby directs the town attorney to submit the draft amendment to the town charter clarifying the language of Section 2-2(d) of the Town Charter to the town's legislative delegation for introduction in the 2006 session of the General Assembly.

Section 2. That section headings (d) Conduct of Elections and (e) Filling Vacancies be inserted in the draft bill.

Section 3. That the Board discuss this matter further in the fall of 2006.

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 3rd day of May, 2006:

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

Noes: Joal Hall Broun, Mark Chilton, Alex Zaffron

Absent or Excused: None

**REQUEST TO SET A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT
CLARIFYING THAT THE APPEARANCE COMMISSION IS AUTHORIZED TO COMMENT ON
THE DESIGN OF PROJECTS**

On April 18, the Board of Aldermen requested that staff prepare a draft ordinance to clarify the responsibilities and authority of the Appearance Commission with regard to the review of design in proposed developments. A draft ordinance has been prepared and a resolution setting a public hearing for June 27, 2006 was provided.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT
AMENDMENT CLARIFYING THAT THE APPEARANCE COMMISSION
IS AUTHORIZED TO COMMENT ON THE DESIGN OF PROPOSED DEVELOPMENTS
WHEN THE PROJECTS ARE REFERRED TO THE COMMISSION
Resolution No. 118/2005-06

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

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on June 27, 2006 to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance to Clarify that the Appearance Commission is authorized to Comment on the Design of Proposed Developments when Development Permit Applications are referred to the Commission.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of May, 2006:

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING TO CONSIDER A LAND USE ORDINANCE TEXT AMENDMENT ESTABLISHING ARCHITECTURAL STANDARDS FOR MAJOR SUBDIVISIONS

Soon after adoption of the Vernacular Architectural Standards (VAS) in May of 1999, the Board of Aldermen initiated a review process. On April 11, the Board of Aldermen requested that staff prepare a draft ordinance from the entirety of the VAS Review committee recommendations. A draft ordinance has been prepared and a resolution setting a public hearing for August 22, 2006 was provided.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT
AMENDMENT ESTABLISHING
ARCHITECTURAL STANDARDS FOR MAJOR SUBDIVISIONS
Resolution No. 119/2005-06

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

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on August 22, 2006 to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance to Establish Architectural Standards for Major Subdivisions.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- Appearance Commission
- Environmental Advisory Board
- Economic Sustainability Commission
- Northern Transition Area Advisory Committee

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of May, 2006:

Ayes: Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell, Alex Zaffron

Noes: Joal Hall Broun

Absent or Excused: None

RECOMMENDED HOME PROGRAM FUNDING PLAN FOR BUDGET YEAR 2006-07 AND APPROVAL OF THE CONSOLIDATED PLAN

The purpose of tonight's item was to present to the Board of Aldermen a proposed plan developed by the HOME Program Review Committee for use of HOME Program funds for fiscal year 2006-2007.

Mayor Chilton asked to be recused from voting on this matter because of his affiliation with one of the agencies receiving HOME funds.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO RECUSE MAYOR CHILTON. VOTE: AFFIRMATIVE ALL

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

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

A RESOLUTION APPROVING THE
THE ORANGE COUNTY 2006-07 HOME PROGRAM DESIGN
Resolution No. 112/2005-06

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

Section 1. The Board of Aldermen, as a member of the Orange County HOME Consortium, approves the following activities for the 2006-07 HOME Program:

1.	Homeownership Assistance	Orange Community Housing and Land Trust (Waterstone)	\$120,000
		Empowerment, Inc. (Northside and Pine Knolls)	\$159,000
2.	New Construction	Habitat for Humanity (Fairview)	\$240,000
		Habitat for Humanity (Purefoy Drive)	\$250,000

3.	Acquisition	Chrysalis Foundation	\$100,027
4.	Operational Support	Orange Community Housing and Land Trust	\$15,000
5.	Administration	Orange Community Housing and Land Trust	\$66,556
		TOTAL	\$950,583

Section 2. The Carrboro match amount of \$20,965 will come from the general fund.

Section 3. The Board of Aldermen has reviewed and approves the 2006-07 HOME Program spending as recommended by the HOME Program Council.

Section 4. The Orange County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this program plan and the Five Year Consolidated Plan (2005-10) and such additional information as may be required by the U.S. Department of Housing and Urban Development.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of May, 2006:

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

Noes: None

Absent or Excused: Mark Chilton

REPORT ON ACTIONS OF THE BOARD OF ALDERMEN

Alderman Coleman requested that the town staff consider placing a summary of Board actions on the town's website, on the town's list serve and forwarded to the news media following Board meetings.

Mr. Stewart stated he would take this request under advisement.

COMMUNITY LEADERSHIP COUNCIL TRIP

Alderman Coleman expressed concern about the upcoming Chamber of Commerce trip to Madison, Wisconsin because it would not be accessible to citizens and it is scheduled during Rosh Hashanah.

Mayor Chilton stated that the Town Manager and himself are scheduled to go on this trip.

It was the consensus of the Board to schedule a Board discussion of this matter.

LEGISLATIVE AGENDA

Alderman Haven-O'Donnell requested that the Board's list of legislative items be placed on the town's website.

APPLE CHILL EXPENSES

Alderman Broun asked if Chapel Hill could be contacted about contributing to the town’s expenses related to Apple Chill.

ECONOMIC DEVELOPMENT PLAN

Mayor Chilton announced that there would be community input sessions on the town’s economic development plan--Saturday, May 20th from 10-12 at the Homestead Community Center, and on Wednesday, May 24th from 6:30 p.m. – 8:30 p.m. at Carrboro Elementary School.

CARRBORO DAY 2006

Mayor Chilton announced that Carrboro Day is scheduled for Sunday, May 7th and that volunteers are still needed.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOHN HERRERA TO ADJOURN THE MEETING AT 10:10 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk