

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 3, 2006 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	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

Absent:

Alderman	Joal Hall Broun
----------	-----------------

INTRODUCTION OF NEW EMPLOYEES

Mr. Stewart introduced Nancy Emslie and Sandy Svoboda, new employees in the Management Services department.

RETIREMENT OF A PUBLIC WORKS DEPARTMENT EMPLOYEE

Mayor Chilton announced that Yahanna Hasan had retired from the Public Works Department and thanked him for his years of service to the town.

TRAFFIC CALMING POLICY

Orrin Robbins, a resident of 110 Spring Valley Road asked that the town staff be instructed to cease and desist from any construction of speed tables on Spring Valley Road until such time as the residents of that street who may be affected are afforded the opportunity to be heard concerning the desirability of speed tables on their street.

Terry Kraus, a resident of 201 Morningside Drive, stated that he had been appalled during his three years residing on Morningside Drive for the total disregard of the speed limit and that is why he had approached the town over a year ago about installing traffic calming devices. A petition was circulated in the neighborhood, including 62 residents. Fifty-five signatures were obtained on the petition.

Dale McKeel stated that the Board of Aldermen approved the construction of the speed tables on June 6, 2006. The traffic calming procedures were followed as approved by the Board in 2005. Mr. McKeel showed a map indicating where the speed tables were proposed to be located.

Mayor Chilton suggested that the traffic calming procedures be amended to include a public hearing requirement prior to the Board considering any further requests. Suggested that he, Mr. Robbins and the Town Attorney meet to discuss this issue.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE SEPTEMBER 19, 2006 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

REQUEST TO CANCEL NOVEMBER 7TH BOARD MEETING

The purpose of this item was to request that the Board of Aldermen cancel the November 7th Board meeting. The town staff recommended adoption of the attached resolution.

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

A RESOLUTION CANCELING THE NOVEMBER 7, 2006 BOARD MEETING
Resolution No.36/2006-07

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

Section 1. The Board of Aldermen hereby cancels its meeting scheduled for November 7, 2006.

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 3rd day of October, 2006:

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

Noes: None

Absent or Excused: Joal Hall Broun

A RESOLUTION URGING THE N.C. GENERAL ASSEMBLY TO ENACT LEGISLATION TO INCREASE CONSERVATION SPENDING

Kate Dixon and Marge Anders Limbert of Land for Tomorrow have submitted a letter to town manager, Steve Stewart, updating the Board of Aldermen on this organization's request for the North Carolina General Assembly to set aside \$1 billion over five years to protect natural areas, farms, and historic sites. A resolution of support for this endeavor was provided for the Board's consideration.

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

A RESOLUTION URGING THE NORTH CAROLINA GENERAL ASSEMBLY TO ENACT
LEGISLATION TO INCREASE CONSERVATION SPENDING BY
\$1 BILLION OVER FIVE YEARS
Resolution No. 34/2006-07

WHEREAS, the Carrboro Board of Aldermen is committed to protecting lands critical to the future of North Carolina's drinking water, economy, and quality of life, and;

WHEREAS, Whereas North Carolina is losing more than 100,000 acres of those special places to population pressures each year, and;

WHEREAS, North Carolina's population is expected to grow by 50 percent in the next 25 years, and;

WHEREAS, the important tourism industry can only survive and continue to provide an economic boost to the state with natural beauty, clean water, and scenic vistas, and;

WHEREAS there is inadequate funding for protecting stream banks and floodplains, legacy forests, prime farmlands, local parks and recreation, state parks, greenway and inactive rail corridors, game lands, natural, scenic, and historic places, and;

WHEREAS there is no second chance to protect North Carolina's great resources and costs will only increase in the future, and;

WHEREAS additional state funding will leverage twice as much funding from federal, private, and local sources, and;

WHEREAS, a legislative study commission is charged with the responsibility of exploring the financing options by increasing conservation spending in North Carolina and will report to the General Assembly its findings and recommendations by February 1, 2007.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen urge the 2007 General Assembly to enact legislation to increase North Carolina's conservation spending by \$1billion over five years.

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

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

Noes: None

Absent or Excused: Joal Hall Broun

A REQUEST TO ADOPT AN ORDINANCE AMENDING CHAPTER 3 OF THE TOWN CODE

The purpose of this agenda item was for the Board to review and approve an amendment to Article VIII Section 3-39 (a) (1) of the Town Code to increase the dollar threshold for the disposal of surplus personal property of the Town, authorized by the Town Manager, from \$5,000 to \$30,000 per changes in G.S. 160A-266(c).

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING ARTICLE VIII, SECTION 3-39(A) OF THE TOWN CODE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

A REQUEST TO APPROVE A BUDGET AMENDMENT

The Board of Aldermen, at its regular meeting on June 27, 2006, authorized the Town Manager to execute a contract with Stewart, Cooper, Newell Architects for the design and construction management/contract administration services for Fire Station #2. Prior to executing a contract with the architectural firm, a project ordinance must be adopted. The Board was requested to establish a project budget for Fire Station #2 to be financed with installment financing proceeds.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2006-07 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

REQUEST TO SET A PUBLIC HEARING: CONDITIONAL USE PERMIT REQUEST FOR 211 LLOYD STREET

Jack Haggerty has submitted an application for a Conditional Use Permit to allow for the construction of three combination-use buildings to be located at 211 Lloyd Street. Prior to reaching a decision on a request for a CUP, the Board of Aldermen must hold a public hearing to receive input. The Town staff recommended that the Board adopt a resolution that sets a public hearing for October 24, 2006 for consideration of the conditional use permit request.

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

A RESOLUTION SETTING A PUBLIC HEARING ON THE CONDITIONAL USE PERMIT REQUEST FOR THREE COMBINATION-USE BUILDINGS LOCATED AT 211 LLOYD STREET
Resolution No. 37/2006-07

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

WHEREAS, an application has been received for a conditional use permit for the three combination-use buildings located at 211 Lloyd Street.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on October 24, 2006 to consider the conditional use permit request for the three combination-use building project.

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

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

Noes: None

Absent or Excused: Joal Hall Broun

APPOINTMENT TO THE HUMAN SERVICES COMMISSION

The Chair of the Human Services Commission recommended that Mark Hertzog be appointed to a vacant seat on the Human Services Commission. The town staff recommended that the Mayor and Board of Aldermen consider adopting a resolution appointing Mark Hertzog to the Human Services Commission.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE
HUMAN SERVICES COMMISSION
Resolution No. 40/2006-07

WHEREAS, there is currently one vacant seats on the Human Services Commission; and

WHEREAS, this positions has been advertised and Mark Hertzog and Susan Siegel have submitted applications; and

WHEREAS, the Chair of the Human Services Commission is recommending that Mark Hertzog 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 Mark Hertzog to the Human Services Commission. Mr. Hertzog's term shall expire in February 2007.

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 3rd day of October, 2006:

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

Noes: None

Absent or Excused: Joal Hall Broun

**A RESOLUTION REQUESTING WAIVER OF STREET ASSESSMENT PAYMENT
ACCELERATION**

It has come to the attention of Town staff that several residents are delinquent in making payments on the assessment liens that were levied for the recent Lisa Drive and Quail Roost Drive street assessment projects. Under G.S. § 160A-233(b), when a person becomes delinquent the entire amount due is accelerated (i.e. it becomes immediately due and payable), unless the Board of Aldermen waives the acceleration. The staff requested that the Board waive the acceleration of all currently delinquent payments and that the Board authorize the Finance Officer to arrange alternate payment plans that would assist citizens who have become delinquent to repay their street assessment liens in full.

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

A RESOLUTION WAIVING ACCELERATION OF DELINQUENT STREET
ASSESSMENT PAYMENTS AND AUTHORIZING ALTERNATE
PAYMENT PLANS FOR THE REPAYMENT OF DELINQUENT
STREET ASSESSMENT PAYMENTS
Resolution No. 42/2006-07

WHEREAS, the Town of Carrboro recently assessed property owners on Lisa Drive and Quail Roost Drive for improvements to those streets; and

WHEREAS, it has come to the attention of the Town that some citizens have become delinquent in making street assessment payments; and

WHEREAS, the Town seeks to assist those citizens who are delinquent to ensure that they repay the Town the entire amount owed for the street assessments.

NOW, THEREFORE, IT IS RESOLVED BY TOWN OF CARRBORO BOARD OF ALDERMEN AS FOLLOWS:

1. Pursuant to G.S. § 160A-233(b), the Board of Aldermen hereby waives acceleration of all currently delinquent payments relating to the Lisa Drive and Quail Roost Drive street assessments.
2. The Town staff is authorized to establish an alternative payment arrangement with any person who is currently delinquent in making street assessment payments. The alternative payment arrangement may include semi-annual, quarterly or monthly payments, but the plan may not exceed more than forty-eight (48) installment payments. Annual interest at the rate of eight percent (8%) shall accrue on the unpaid principal balance.
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 3rd day of October, 2006:

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

Noes: None

Absent or Excused: Joal Hall Broun

A REQUEST TO ADOPT A BUDGET AMENDMENT

Planning for the October 28th Greenway Summit is underway. Aldermen Gist and Haven-O'Donnell requested that the Board of Aldermen allocate \$250 from the contingency fund to cover expenses associated with the summit. A budget ordinance making this change was provided for the Board's use.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2006-07 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

PRESENTATION OF A STATUS REPORT ON THE COUNTY MASTER AGING PLAN

The purpose of this item was for members of the Master Aging Plan Steering Committee to present a status report on the County Master Aging Plan and to give the Mayor and Board of Aldermen an opportunity to make comments on the Plan. On November 14, 2006 the final M.A.P. report will be submitted to the County Board of Commissioners for approval.

Pat Sprigg, Co-Chair of the Master Aging Plan Task Force, made the presentation.

Alderman Coleman suggested that continuing to inform and engage elected officials be included in the strategies, and that #2 in the Bill of Rights be amended to delete the words “in retirement.”

Alderman Gist requested that the report be referred to the Human Services Commission for review and consideration, and that town staff schedule an agenda item on how to incorporate the report into daily municipal life.

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

A RESOLUTION RECEIVING THE REPORT
ON THE ORANGE COUNTY MASTER AGING PLAN
Resolution No. 39/2006-07

WHEREAS, representatives from the Master Aging Plan Steering Committee have presented a status report on the Orange County master Aging Plan.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the report and makes the following comments on the Plan:

- That the strategies include continuing reports and input from elected officials;
- That the Bill of Rights be amended to delete the words “in retirement”;
- That the report be referred to the Human Services Commission; and
- That an agenda item be prepared on how to incorporate the report into daily municipal life.

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

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

Noes: None

Absent or Excused: Joal Hall Broun

A RESOLUTION IN SUPPORT OF BRINGING THE SHEARON HARRIS NUCLEAR PLANT INTO COMPLIANCE WITH FEDERAL FIRE SAFETY REGULATIONS

The purpose of this agenda item was for the Board of Aldermen to consider passing a resolution supporting a legal action (regarding violations of federal fire safety regulations) which was filed with the Nuclear Regulatory Commission (NRC) by NC WARN, the Union of Concerned Scientists, the Nuclear Information and Research Service, NC Fair Share, and Surge on September 20, 2006.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Randee Haven-O’Donnell.

A RESOLUTION IN SUPPORT OF BRINGING THE SHEARON HARRIS NUCLEAR PLANT
INTO COMPLIANCE WITH FEDERAL FIRE SAFETY REGULATIONS
Resolution No. 38/2006-07

WHEREAS, NC WARN, the Union of Concerned Scientists, the Nuclear Information and Research Service, NC Fair Share, and Students United for a Responsible Global Environment (SURGE) have filed a legal action

with the Nuclear Regulatory Commission (NRC) to bring the Shearon Harris Nuclear Plant into compliance with Federal Fire Safety Regulations, and

WHEREAS, the plant has operated in violation of those regulations for at least the past 14 years and as such has substantially increased the risk to the public, and

WHEREAS, the plant owner says it will apply for permission to take up to nine more years to study its fire safety violations instead of fixing them, and

WHEREAS, approximately 50 percent of the risks of catastrophic nuclear plant failure are associated with fire-related accidents, as calculated by the Nuclear Regulatory Commission; and

WHEREAS, Orange County staff has recently been presented information to the Assembly of Governments as to ongoing problems with fire safety and practices at the Shearon Harris nuclear power plant.

NOW THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen support these local organizations' call for emergency enforcement action by the NRC to:

- 1) Immediately suspend Shearon Harris' license until all fire safety violations are corrected, or;
- 2) Fine Harris \$130,000 for each violation each day it operates until compliance with current law is verified by NRC – without relying on regulatory bypasses such as “interim” fire watches and operator actions.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen support the requests that:

- 1) Deliberations on this matter are conducted in open and public proceedings that include hearings in the vicinity of the Shearon Harris plant, and that
- 2) Although the bringers of the legal action are willing to enter into negotiations allowing the plant to remain operating, any continued operation must be based on the establishment of a firm timetable – not exceeding 12 months – for completing the necessary repairs to bring the plant into full compliance with current, applicable fire safety regulations.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen join in the call for the NRC to refuse to consider any “early relicensing” of the plant for an additional 20 years – for which an application will be submitted by year end – unless the plant has been brought into full compliance with fire regulations.

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

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

Noes: None

Absent or Excused: Joal Hall Broun

A REVIEW OF THE REPORT ON THE BOLIN CREEK WATERSHED RESTORATION TEAM'S CLEAN WATER MANAGEMENT TRUST FUND MINI-GRANT APPLICATION

The Bolin Creek Watershed Restoration Team needs to conduct a geomorphic analysis in the watershed to identify potential locations for stormwater retrofit projects and stream restoration activities. The Clean Water Management Trust Fund has a Stormwater Mini-grant program for which this activity is eligible. Staff would like to ask the Board for authorization to apply for and perform the functions and obligations of the Mini-grant recipient as set out in a grant agreement that may result from this grant application.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Randee Haven-O'Donnell.

A RESOLUTION AUTHORIZING STAFF TO APPLY FOR AND PERFORM THE FUNCTIONS
AND OBLIGATIONS OF THE CLEAN WATER MANAGEMENT TRUST FUND
STORMWATER MINI-GRANT RECIPIENT AS SET OUT IN A GRANT AGREEMENT
THAT MAY RESULT FROM SAID GRANT APPLICATION
Resolution No. 33/2006-07

WHEREAS, the Carrboro Board of Aldermen have pledged as much support to the Bolin Creek Watershed Restoration Team as fiscal conditions allow;

WHEREAS, BCWRT has been working to identify funding opportunities to enhance Bolin Creek's water quality, that could remove the creek from the 303d list, and that are consistent with the goals of our ongoing NPDES program and pending Jordan Lake rules;

WHEREAS, the Clean Water Management Trust Fund Stormwater Mini-grant Program presents an opportunity to collect data on likely stormwater retrofit and stream restoration locations and strengthen subsequent grant requests for support in conducting stormwater retrofits or stream restoration;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen authorizes staff to apply for and perform the functions and obligations of the Clean Water Management Trust Fund Stormwater Mini-grant recipient as set out in a grant agreement that may result from this grant application.

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

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

Noes: None

Absent or Excused: Joal Hall Broun

REVIEW AND COMMENT ON THE DRAFT 2007-2013 TRANSPORTATION IMPROVEMENT PROGRAM

The purpose of this item was for the Board of Aldermen to review and comment on the draft 2007-2013 State Transportation Improvement Program (STIP). Two resolutions were presented for the Board's consideration.

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

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

A RESOLUTION PROVIDING COMMENTS ON THE DRAFT
2007-2013 TRANSPORTATION IMPROVEMENT PROGRAM
Resolution No. 44/2006-07

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review regional transportation policy, and;

WHEREAS, the North Carolina Department of Transportation and Durham-Chapel Hill-Carrboro Metropolitan Planning Organization are currently accepting comments on the 2007-2013 Transportation Improvement Program.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen provide the following comments to NCDOT and the Transportation Advisory Committee (TAC) of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization:

1. Revise the description of U-2803, Smith Level Road, to reflect the smaller cross-section, including bike lanes and sidewalks, adopted by the Board of Aldermen on April 26, 2005. The Town requests that right-of-way acquisition remain in 2007 and construction remain in 2010 to provide bicycle and sidewalk facilities to serve students and staff of Carrboro High School.
2. Revise the description of U-3100B, Old Fayetteville Road, to “Add bike lanes and transit accommodations on both sides of the road and sidewalk on the east side from McDougale Middle School to NC 54.” The Town does not object to classifying this project as a bicycle-pedestrian project but requests that the project continue to be funded from the state Highway Fund.
3. Revise the description of U-2909 (Estes Drive) to “Add bike lanes, sidewalks, and transit accommodations on both sides of the road from Greensboro Street to Town limits.” and request that Phase 1 of the project be funded as requested by the Town of Carrboro and the DCHC MPO. The Town also requests funding for a multi-use path to connect Estes Drive and Williams Street to provide an alternative bicycle-pedestrian connection.
4. Revise the description of U-2805 (Homestead Road) to “Add bike lanes, sidewalks, and transit accommodations on both sides of the road.”

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

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

Noes: None

Absent or Excused: Joal Hall Broun

Alderman Zaffron asked to be recused from voting on improvements to Seawell School because he owns property on that road.

It was the consensus of the board to recuse Alderman Zaffron from voting on the following motion:

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELYN GIST THAT THE FOLLOWING COMMENT BE FORWARDED TO NCDOT AND TAC:

Revise the description of E-4710, Seawell School Road Bike Lanes to “Add bike lanes, sidewalks, and transit accommodations from Homestead Road to Estes Drive” and to state that a portion of the project is in Carrboro.

VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN), EXCUSED ONE (ZAFFRON)

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

A RESOLUTION REQUESTING THAT THE N.C. DEPARTMENT OF TRANSPORTATION
FUND BICYCLE LANES ON ESTES DRIVE
Resolution No. 43/2006-07

WHEREAS, the Town of Carrboro's adopted Bicycle Policy identifies the need for bicycle lanes on Estes Drive, and;

WHEREAS, the Town of Carrboro has been requesting bike lanes on Estes Drive since at least 1987, and;

WHEREAS, improvements to Estes Drive, including bicycle lanes, have been the highest priority for the Town of Carrboro on the adopted local priority list for the 2002-2008, 2004-2010, 2006-2012, and 2007-2013 Transportation Improvement Programs, and;

WHEREAS, since bike lanes were constructed on a portion of Estes Drive in Chapel Hill between Seawell School Road and Martin Luther King Boulevard in 2005, there have been numerous requests to extend the bike lanes to Greensboro Street in Carrboro.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen request that the N.C. Department of Transportation provide funding for bicycle lanes on Estes Drive between Hillcrest Street and the Town Limits and that the bike lanes be coordinated with the planned sidewalk on Estes Drive.

BE IT FURTHER RESOLVED that the Board of Aldermen request that the N.C. Department of Transportation provide funding for a multi-use path to connect Estes Drive and Williams Street to provide an alternative bicycle-pedestrian connection and that the multi-use path be added to the Estes Drive project on the 2007-2013 Local Priority List.

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

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

Noes: None

Absent or Excused: Joal Hall Broun

DISCUSSION OF PLANNING BOARD'S RECOMMENDATION FOR A DEVELOPMENT MORATORIUM IN THE NORTHERN STUDY AREA

The Planning Board has developed a proposal for a moratorium on rezonings, major subdivisions, and special and conditional use permit applications in Carrboro's Northern Study Area and has distributed the proposal to other advisory boards for comments. A development moratorium, as a temporary suspension of the Land Use Ordinance provisions, is enacted using the text amendment process meaning that a draft ordinance must be prepared and a public hearing date set. A resolution that provides an opportunity to respond to the Planning Board request was available for the Board's use.

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

James Carnahan, Chair of the Planning Board, stated that this request should be referred to the Northern Transition Area Advisory Committee and New Horizons Task Force. He also presented the Planning Board's recommendation.

Adam Zinn stated that as a developer, he was very concerned about a moratorium. He stated that they are currently in the concept review process with the Town for several developments and does not feel it is fair to make them put their projects on hold during a moratorium. Several of the goals of the Small Area Plan are being met with their projects. He stated that he thought the town should identify properties for commercial and mixed-use projects.

Omar Zinn stated that most of the construction in the Chapel Hill-Carrboro area is in Carrboro. If the town ceases development, there will be a decrease in supply causing an increase in housing costs. For someone with land under contract, it does not seem fair to stop an individual in his tracks for a year because of a moratorium.

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

A RESOLUTION SPECIFYING FOLLOW-UP TO PLANNING BOARD RECOMMENDATION FOR A
DEVELOPMENT MORATORIUM IN THE NORTHERN STUDY AREA
Resolution No. 41/2006-07

WHEREAS, the Carrboro Board of Aldermen seeks to consider fully policies, plans and regulations pertaining to development opportunities; and

WHEREAS, the Planning Board has made a recommendation for a moratorium in the Northern Study Area.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen directs staff as follows

- Refer this matter to the Northern Transition Area Advisory Committee and New Horizons Task Force
- Forward the request to Orange County, Chapel Hill, and the University for courtesy reviews.

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

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

Noes: None

Absent or Excused: None

DISCUSSION OF A REQUEST FROM THE PLANNING BOARD REGARDING A STEPBACK PROVISION OF THE DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY DISTRICT

The Planning Board has adopted a recommendation requesting the Board of Aldermen to remove one of the stepback requirements associated with the Downtown Neighborhood Protection overlay district. A resolution setting a public hearing on the draft ordinance and referring the ordinance for advisory board review was recommended for the Board's adoption.

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

James Carnahan, the Chair of the Planning Board, explained the Planning Board's recommendation.

Alderman Gist requested that notice of this public hearing be sent out to property owners within 1,000 feet of the affected area.

Mayor Chilton asked that the Board consider disallowing mansard roofs.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO CONTINUE DISCUSSION OF THIS MATTER ON NOVEMBER 14TH. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

TOWN MANAGER'S EVALUATION

Mayor Chilton asked Board members to return the Town Manager's evaluation forms to him.

Alderman Gist requested a copy of the evaluation form.

REALLY REALLY FREE MARKET

Mayor Chilton stated that someone with the market had reserved the Town Commons for the October 7th market. He asked for direction on whether to require insurance. He stated that the town's insurance carrier is not willing to insure the event.

Mr. Stewart stated that the market would create an exposure for the town and that it was a policy decision for the Board as to whether to require insurance to cover the distribution of food.

Mayor Chilton asked that the town staff post notices at the Town Commons indicating that without insurance, the Town of Carrboro cannot sanction distribution of food.

ACCESS FROM AUTUMN DRIVE OUT TO HILLSBOROUGH ROAD

Alderman Herrera stated that the property owner had blocked the entrance to Horne Hollow. He stated that Mr. O'Dwyer has asked that parents of children wishing to walk through his property to access the schools contact him.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO ADJOURN THE MEETING AT 10:30 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

Mayor

Town Clerk