

A worksession of the Carrboro Board of Aldermen was held on Tuesday, January 9, 2007 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 (arrived at 7:45 p.m.)
	Randee Haven-O'Donnell
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:

Alderman	Alex Zaffron
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REQUEST FOR APPEARANCE COMMISSION APPLICANTS

Alderman Gist announced that the town's Appearance Commission/NPDC was in need of members and invited citizens to apply for service.

REQUEST FOR A MOMENT OF SILENCE

Mayor Chilton asked for a moment of silence in remembrance of Charles Burger and his wife and son who were recently killed in an automobile accident. Mr. Burger was the landscape architect for Chapel Hill-Carrboro City Schools' elementary school #10.

APPOINTMENT TO CAROLINA NORTH FISCAL IMPACT ANALYSIS MONITORING COMMITTEE

The purpose of this item was for the Board of Aldermen to make an official appointment to the committee which will be monitoring the work of the consultant performing the fiscal impact analysis for the Carolina North development.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE
CAROLINA NORTH FISCAL IMPACT ANALYSIS MONITORING COMMITTEE
Resolution No. 99/2006-07

WHEREAS, the Chancellor of UNC-CH, James Moeser, has requested that the Town of Carrboro appoint a member to the monitoring committee which will keep track of the consultant's fiscal impact analysis of the proposed Carolina North development; and

WHEREAS, the Board of Aldermen wish to continue playing a role in discussions about that development;

NOW THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen hereby appoints Steve Stewart, Town Manager, to be the town's representative on this committee.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 9th day of January, 2007:

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

Noes: None

Absent or Excused: John Herrera, Alex Zaffron

DECISION ON DRAFT ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS DEALING WITH FLOOD DAMAGE PREVENTION

Mapping of area regulatory floodplains has been recently updated and federal rules dealing with floodway and floodplain management have been revised. A draft ordinance amending the Carrboro Land Use Ordinance flood damage prevention provisions has been prepared. The Board of Aldermen held a public hearing on the ordinance on November 28, 2006, delaying action until comments were received from the Floodplain Management Branch of the North Carolina Department of Emergency Management.

Mayor Chilton stated that the town staff had requested that this matter be delayed until a future date.

PRESENTATION OF THE AUDIT REPORT FOR FISCAL YEAR ENDING JUNE 30, 2006

In accordance with principles of accountability and state statutes, the town undergoes an annual financial audit by independent auditors. The town contracted with Dixon Hughes PLLC to perform the audit for the fiscal year ending June 30, 2006. The purpose of this agenda item was for the Board to receive the audit report.

LaVonne Montague, CPA, of Dixon Hughes PLLC, presented the audit report.

[Alderman Herrera arrived at the meeting.]

Alderman Broun asked that next year's audit report include Carrboro High School, and McDougle Elementary and Middle Schools in the list of major employers for the town.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Dan Coleman.

**A RESOLUTION ACCEPTING THE 2005-2006 AUDIT REPORT
Resolution No. 98/2006-07**

WHEREAS, the Carrboro Board of Aldermen have received the annual 2005-06 Audit Report; and

WHEREAS, the Aldermen were informed by the Town's auditors, Dixon Hughes PLLC that the Town's financial statements are free of material misstatement and that the audit tests conducted by the firm did not uncover any material weaknesses that are required to be reported under Government Auditing Standards;

WHEREAS, the Aldermen were informed by town staff that the Town's financial statements have been significantly improved and submitted to the Government Finance Officers' Association for recognition of excellence in financial reporting;

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

Section 1: Accept the annual 2005-06 Audit Report.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 9th day of January, 2007:

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

Noes: None

Absent or Excused: Alex Zaffron

PUBLIC HEARING ON THE CONDITIONAL USE PERMIT FOR THE CHAPEL HILL-CARRBORO CITY SCHOOLS' ELEMENTARY SCHOOL #10

Chapel Hill – Carrboro City Schools has submitted an application for construction of a 89,800 sf (30 classroom) elementary school on the parcel located at 215 Eubanks Road. The Conditional Use Permit, if approved, would allow the construction of the school along with associated recreational facilities and infrastructure.

Jeff Kleaveland, one of the town's Planner/Zoning Development Specialists, was sworn in and presented the development proposal.

Marty Roupe, the town's Development Review Administrator, was sworn in and stated that he had spoken with an NCDOT representative and was told that there would be "rural intersection" lighting standards for the roundabout.

Jamezetta Bedford, Chair of the Chapel Hill-Carrboro Board of Education, was sworn in and invited the Board to tour Rashkis Elementary and Carrboro High Schools.

Dr. Neil Pederson, Superintendent of the Chapel Hill-Carrboro City Schools, was sworn in and explained the process used to locate the school on the site, and addressed the current and predicted school capacities.

Steve Scroggs, Assistant Superintendent for Support Services with the Chapel Hill-Carrboro City Schools, was sworn in and addressed current and predicted school capacities. He stated that the schools are currently over capacity without the new school. He also stated that a new middle school will need to open in six to seven years, and that the school system saved between \$300,000-\$400,000 along with much time using the Rashkis prototype for the proposed new elementary school.

Alderman Haven-O'Donnell suggested that the bus drop off area be relocated to the front/main entrance or at least move the dumpsters away from bus drop off area.

James Carnahan, Chair of the Planning Board, was sworn in. He stated that the Planning Board was concerned about the distance this location is from the town's population. He also reviewed the remaining Planning Board recommendations.

Jay Bryan, Chair of the Northern Transition Areas Advisory Board (NTAAC), was sworn in. He summarized the recommendations of the NTAAC.

Alena Callimanis was sworn in and asked that the new lighting scheme at the Homestead/High School Road intersection also be used at the roundabout. She also suggested that an additional lane be included accessing the parking area.

Bryan Decker was sworn in. He stated that he was representing Morris Grove Heights residents. Their concern is people cutting through their neighborhood to access the school. He stated that the intersection of Eubanks and Old 86 needs improvements. He stated concern about the lighting plan, stated that they support parking within the school property, spoke in support of the greenway trail, and expressed overall support for the project.

Marsha Tinnen, a resident of 206 Eubanks Road, was sworn in. She stated that this part of Eubanks Road needs enough lighting to make the area safe.

Lyle Overcash, with Martin, Alexiou, Bryson, a traffic engineering firm, was sworn in. He asked that Mike Hammersly address the question about the EAB's recommendation that the connector road be shifted to the east to reduce the line-of-sight issues by the curve in Eubanks Road.

Mike Hammersly, engineer with Corley, Redfoot, Jack, was sworn in. He stated that the intersection for the connector road was placed at their property line to the east. He stated that there are three lanes proposed for the kiss and go lane.

David Stancil, Director of Orange County Environment and Resource Conservation, was sworn in. He explained the process used to site the park on this property. He stated that the park will be built in at least 3 phases and that construction would begin approximately one year after approval—possibly in 2009

Will Hines with Sungate Design was sworn in. He explained the process that would need to take place if the sewer line was relocated to the east side.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION IS COMPLETE. VOTE: VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

MOTION WAS MADE BY JOAL HAL BROUN AND SECONDED BY DAN COLEMAN THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY JOAL HALL BROUN THAT THE APPLICATION IS GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That prior to construction plan approval the applicant provide a copy of an issued NCDENR land disturbing activity permit and formally invite Orange County Erosion Control to voluntarily inspect the site during construction via a letter that is copied to the NC Land Quality Section Regional Engineer, Raleigh Regional Office.

4. That the applicant adjust the planting plan as requested by the Town Engineer and Environmental Planner prior to construction plan approval to ensure compliance with the stormwater and vehicle accommodation area shading requirements of the LUO.
5. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment / maintenance agreements for lighting and sidewalks.
6. That subject to NCDOT approval, the applicant shall provide 6-feet of extra pavement on both sides of Eubanks Road where improvements are required. The 6-foot sections shall serve as bike lanes.
7. That, prior to construction plan approval, the bike lane arrangements in the vicinity of the roundabout and within the proposed collector street shall be designed to comply with their related specifications as identified in the Federal Highway Administration's *Roundabouts: An Informational Guide*, and the *Manual of Uniform Traffic Control Devices*.
8. That prior to construction plan approval the applicant obtain all necessary approvals and permits from OWASA for the school's proposed on- and off-site water and sewer improvements to serve the school. Further, that all such work be completed in accordance with any conditions imposed by such agency, and that all such lines be operable prior to occupancy of the school
9. That prior to construction plan approval, the applicant receive any necessary off-site easements for installation of water and sewer lines.
10. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
11. That the applicant provide to Orange County Solid Waste Department a solid waste management plan prior to construction plan approval. Further, that the construction plans include Orange County Solid Waste in the list of agencies participating in the preconstruction meeting for the project.
12. That the developer shall include a detailed stormwater system maintenance plan. This maintenance plan shall specify the entity responsible for performance of all elements of this maintenance plan, shall indicate how that entity will fund said maintenance, and shall clearly indicate that the Town of Carrboro is not responsible for these activities. The maintenance plan shall include scheduled maintenance activities for each stormwater best management practice (BMP) in the development, (including but not limited to cisterns, bio-retention areas, swales, constructed wetlands, level spreaders, energy dissipaters, and buffers), performance evaluation protocol for each BMP, and frequency of self-inspection and self-reporting requirements (including a proposed inspection/reporting template clearly indicating how often reports will be submitted to the Town of Carrboro) for maintenance and performance of each BMP. The maintenance plan and supporting documentation shall be submitted to the Town Engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the maintenance plan and supporting documentation shall be included in the construction drawings and school system's documentation to ensure the long-term maintenance of the BMPs.
13. That the applicant provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans and that the applicant submit letters from all applicable utility companies certifying that the project can be served via the existing infrastructure.

14. That prior to construction plan approval, general information about the typical hours of operation for the light fixtures be included on the plans. This information should disclose whether the lights will be manually-controlled or placed on automatic timers.
15. That the applicant submit an application for annexation of the school property to the Town, prior to occupancy of the school.
16. That prior to the construction plan approval layout details for the basketball court and specific playground equipment details be shown on the plans.
17. That prior to issuance of the certificate of occupancy, the school district work with Town Police and Fire staff to develop a traffic management plan to be put in place during peak use events at the school.
18. That the Board accepts the applicant's justification for exceeding the presumptive parking standards of Section 15-291 by providing 102 spaces. As represented in the applicant's letter, this deviation is justified because of the school district's experience with Rashkis elementary school (which is the prototype for Elementary School #10) and because it better serves the parking needs of elementary school programs which include substantial parental participation.
19. That the sidewalk / greenway trail beginning at the southern property line and terminating at the bus drop-off area exhibit compliance on the construction plans with the greenway-facilities specifications identified in the AASHTO Guide for the Development of Bicycle Facilities and in the Town of Carrboro Comprehensive Master Plan for Recreation and Parks.
20. That prior to construction plan approval the applicant must provide staff with a copy of written correspondence with appropriate agencies acknowledging that any disturbances are included in the total wetlands impacts information provided for the project, including the proposed sanitary sewer extension.
21. That the planting plans not include any of the invasive species listed in Appendix 3 of the Land Use Ordinance and that the planting plan for the stormwater devices and the "constructed drainage" be further reviewed for plant species suitability for the intended function of the device and that the approved construction plans include planting plans indicating the precise breakdown and type of trees, woody shrubs, and herbaceous plants in each bioretention area and around and in each vehicle accommodation area.
22. That prior to construction plan approval, the tree planting detail be replaced with the Town of Chapel Hill, December 2006 Tree Planting Detail.
23. That prior to approval of the construction plans, the applicant further modify the step-by-step, narrative erosion control construction sequence such that the Environmental Planner can determine that erosion and sedimentation risks to downstream water bodies have been minimized through careful planning and staging of the construction of the "enhanced drainage way," removal of the large sediment basin, and construction of the southern retaining wall.
24. That all of the project's state and federal notification, permit, and flood hazard area mapping requirements be satisfied prior to construction plan authorization.
25. That the sidewalk that passes in front of the dumpster area adjacent to the bus loading area be extended out to the connector road along the southern edge of the bus loading area and driveway.
26. That prior to construction plan approval, any easement associated with a cross-pipe located under a public right-of-way be labeled "Public".

27. That prior to construction plan approval, the applicant to provide vertical curve information showing percentage grades and related information for the Collector Road.
28. That prior to construction plan approval, the applicant work w/ Sungate to improve the under-drain systems design in the bioretention basins.

VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN THAT IF TE TOWN UPDATES ITS LIGHTING STANDARDS PRIOR TO CONSTRUCTION PLAN APPROVAL, THEN THE DEVELOPMENT PLAN WILL BE UPDATED TO MEET THOSE STANDARDS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN THAT THE BIKE RACKS BE COVERED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O'DONNELL THAT IN REGARD TO THE RELOCATION OF A STREAM ON THE PROPERTY, THAT:

- EVERY EFFORT WILL BE MADE TO ENSURE THAT THERE BE AN OPPORTUNITY FOR CONTINUOUS FLOW OF WATER THROUGH DRAINAGE OR NATURAL SPRINGS;
- CONSTRUCTION OF THE NEW STREAM CHANNEL BE SUPERVISED BY THE PROJECT ENGINEER AT ALL TIMES TO ENSURE THAT THE CONTRACTOR OR SUBCONTRACTORS FOR THE PROJECT BUILD THE CHANNEL AS SPECIFIED ON THE PLANS; AND
- THE SCHOOL SHALL HAVE ONGOING RESPONSIBILITY FOR MAINTAINING THE PLANTINGS ALONG THE STREAM.

VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOHN HERRERA THAT THE APPLICATION IS GRANTED, SUBJECT TO THE CONDITIONS AGREED UPON ABOVE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (ZAFFRON)

COURTESY REVIEW OF THE GREENBRIDGE PROJECT

The Board of Aldermen requested an opportunity to conduct a courtesy review of the Greenbridge project proposed in Chapel Hill's jurisdiction at the corner of Rosemary Street, Graham Street, and Merritt Mill Road. Design materials and associated information are attached, and the applicant has requested an opportunity to make a presentation. Town staff requested that the Board conduct a courtesy review and determine whether to forward comments to the Chapel Hill Town Council.

Tim Toben made the presentation to the Board.

APPOINTMENT TO THE ORANGE COUNTY LIBRARY SERVICES TASK FORCE

The Orange County Board of County Commissioners is re-convening the Library Services Task Force to make updated recommendations on improving library services and facilities in Orange County. Former Alderman Diana McDuffee previously served as the Town of Carrboro's representative on the 2004 Task Force. The Mayor and Board of Aldermen are requested to make an appointment to this Task Force.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman John Herrera.

A RESOLUTION MAKING AN APPOINTMENT TO THE
ORANGE COUNTY LIBRARY SERVICES TASK FORCE
Resolution No. 100/2006-07

WHEREAS, the Orange County Board of Commissioners desire to reconvene the 2004 Library Services Task Force; and

WHEREAS, this Task Force will make updated recommendations for improving library services and facilities in Orange County; and

WHEREAS, former Alderman Diana McDuffee served as Carrboro's representative on the 2004 Library Services Task Force.

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

Section 1. The Board hereby appoints Randee Haven-O'Donnell to serve as Carrboro's representative on the Orange County Library Services Task Force.

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 9th day of January, 2007:

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

Noes: None

Absent or Excused: Alex Zaffron

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO
ADJOURN THE MEETING AT 11:55 P.M. VOTE: AFFIRMATIVE FIVE, ABSENT ONE (ZAFFRON)

Mayor

Town Clerk