

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 1, 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
	Randee Haven-O'Donnell
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:

Alderman	John Herrera
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**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROVE THE APRIL 3, 10 AND 24, 2007 MINUTES, WITH A CORRECTION TO THE APRIL 10 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

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**A REQUEST TO SET A PUBLIC HEARING FOR A MINOR MODIFICATION TO THE CELLULAR TOWER AT 515 SOUTH GREENSBORO STREET**

Cricket Communications has applied for a minor modification to the Crown Castle Telecommunications Tower Conditional Use Permit located at 515 South Greensboro Street. The proposed minor modification will consist of the addition of a four foot by eight foot cabinet within the fenced in area at the base of the tower and the addition of an antenna array at 170 feet. The town staff recommended that the Board set a public hearing for May 22, 2007 for consideration of a minor modification to the original CUP.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON THE REQUEST OF A  
MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR THE  
CELLULAR TOWER AT 515 SOUTH GREENSBORO STREET**

Resolution No. 176/2006-07

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

WHEREAS, the 515 South Greensboro Street cellular tower includes a specific condition stating that a public hearing shall be held before any changes are made to the existing cellular tower; and an application has been received for a minor modification to the conditional use permit for the cellular tower at 515 South Greensboro Street.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on May 22, 2007 to consider a minor modification to the conditional use permit request for the cellular tower at 515 South Greensboro Street.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2007:

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

Noes: None

Absent or Excused: John Herrera

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**A REQUEST TO SET A PUBLIC HEARING FOR A MINOR MODIFICATION TO THE CELLULAR TOWER AT 515 SOUTH GREENSBORO STREET**

Sprint has applied for a minor modification to the Crown Castle Telecommunications Tower Conditional Use Permit located at 515 South Greensboro Street. The proposed minor modification will consist of additional antennas at the existing 141 foot array and additional equipment within the building at the base of the tower. The town staff recommended that the Board set a public hearing for May 22, 2007 for consideration of a minor modification to the original CUP.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON THE REQUEST OF A  
MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR  
THE CELLULAR TOWER AT 515 SOUTH GREENSBORO STREET  
Resolution No. 175/2006-07**

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

WHEREAS, the 515 South Greensboro Street cellular tower includes a specific condition stating that a public hearing shall be held before any changes are made to the existing cellular tower; and an application has been received for a minor modification to the conditional use permit for the cellular tower at 515 South Greensboro Street.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on May 22, 2007 to consider a minor modification to the conditional use permit request for the cellular tower at 515 South Greensboro Street.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2007:

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

Noes: None

Absent or Excused: John Herrera

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**REQUEST TO MAKE AN APPOINTMENT TO THE ORANGE COUNTY HUMAN RELATIONS COMMISSION**

The purpose of this agenda item was for the Mayor and Board of Aldermen to consider recommending that Margot Lester be appointed as one of the Town of Carrboro's representatives on the Orange County Human Relations Commission.

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

**A RESOLUTION RECOMMENDING AN APPOINTMENT  
TO THE ORANGE COUNTY HUMAN RELATIONS COMMISSION  
Resolution No. 177/2006-07**

WHEREAS, the Town of Carrboro has two seats on the Orange County Human Relations Commission; and

WHEREAS, one of these seats is currently vacant; and

WHEREAS, Margot Lester has submitted an application expressing interest in serving as a Carrboro representative on the Orange County Human Relations Commission.

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

Section 1. The Mayor and Board of Aldermen hereby recommend that the Orange County Board of Commissioners appoint Ms. Margot Lester as a Carrboro representative on the Orange County Human Relations Commission.

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 1st day of May 2007:

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

Noes: None

Absent or Excused: John Herrera

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**PROCEDURAL UPDATE ON LAND USE ORDINANCE TEXT AMENDMENT TO REVISE OPEN SPACE REQUIREMENTS IN THE DOWNTOWN**

The proposed text amendment, previously scheduled for the April 24, 2007 public hearing, has been revised by the applicant, Mr. Jack Haggerty. On April 10, 2007, the Board of Aldermen reset the public hearing for May 22, 2007. Staff has prepared a draft ordinance that responds to the applicant's revised request. A comparison table has been provided as an aid in evaluation of the two proposals.

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**APPOINTMENTS TO THE ENVIRONMENTAL ADVISORY BOARD**

The purpose of this item was for the Mayor and Board of Aldermen to consider making appointments to the Environmental Advisory Board. The Chair of the EAB recommended that Carly Apple, Mary Rabinowitz and Ryan Elting be appointed.

Alderman Broun asked that the town staff provide a training session for advisory board chairs. Specifically, she asked that the chairs provide more information in the Summary of Applications.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Randee Haven-O'Donnell.

**A RESOLUTION MAKING APPOINTMENTS TO THE  
ENVIRONMENTAL ADVISORY BOARD  
Resolution No. 178/2006-07**

WHEREAS, there are currently three (3) vacant seat on the Environmental Advisory Board (EAB); and

WHEREAS, these positions have been advertised and Carly Apple, Ryan Elting, Andreas hay and Mary Rabinowitz have submitted applications; and

WHEREAS, the Chair of the EAB is recommending that Carly Apple, Mary Rabinowitz and Ryan Elting be appointed to the vacant seats.

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

Section 1. The Board of Aldermen hereby appoints Carly Apple, Mary Rabinowitz and Ryan Elting to seats on the Environmental Advisory Board.

Section 2. The following terms are assigned:

<b>APPOINTEE</b>	<b>TERM EXPIRATION</b>
Mary Rabinowitz	February 2008
Carly Apple	February 2010
Ryan Elting	February 2010

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 1st day of May 2007:

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

Noes: None

Absent or Excused: John Herrera

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**ADDITIONAL APPOINTMENTS TO THE NSAPIRC**

On March 6, 2007, the Board of Aldermen established the Northern Study Area Implementation Review Committee (NSAPIRC) and made a number of appointments. The Board was asked to appoint additional community representatives to serve on the committee.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Randee Haven O'Donnell.

**A RESOLUTION MAKING ADDITIONAL APPOINTMENTS TO THE  
NORTHERN STUDY AREA PLAN IMPLEMENTATION REVIEW COMMITTEE  
Resolution No. 181/2006-07**

WHEREAS, the Board of Aldermen has established a process to review and update the facilitated Small Area Plan for Carrboro's Northern Study Area (NSA Plan); and

WHEREAS, an implementation review committee would allow advisory board members, citizens and neighboring jurisdictions to participate in the review and update process;

WHEREAS, the Board of Aldermen has the following appointed elected official representatives, advisory board and community members to the NSAPIRC:

<b>Advisory Board of Committee</b>	<b>Representative</b>
Planning Board	James Carnahan
Appearance Commission	Tom Wiltberger
Environmental Advisory Board	Carolyn Buckner
Transportation Advisory Board	Tom High
Recreation and Parks Commission	Doris Murrell (tentative)
Economic Sustainability Commission	Alena Callimanis
Northern Transition Area Advisory Committee	Jay Bryan
New Horizons Task Force	Peggy Vincent
<b>Community Member</b>	<b>Representative</b>
At-large	Amy Jeroloman
At-large	Jim Rabinowitz
At-large	
UNC-CH	Jannice Ashley

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

Section 1. The Board of Aldermen hereby appoints the following additional representatives to the NSAPIRC:

<b>Community Member</b>	<b>Representative</b>
Town of Chapel Hill	Margaret Campion
Orange County	Barry Jacobs (BOCC) Renee Price (Planning Board)
HBA of Durham, Chatham, and Orange Counties	Frank Thomas

Section 2. This Board of Aldermen hereby directs the NSAPIRC to continue to participate in the review of the implementation of the NSA Plan, assist with design, development, and execution of other activities needed to complete this review as described in Resolution #138/2006-2007 adopted by the Board on February 27, 2007.

Section 5. 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 1st day of May 2007:

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

Noes: None

Absent or Excused: John Herrera

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**REQUEST TO APPROVE A BUDGET AMENDMENT**

The purpose of this agenda item was to amend the 2006-07 fiscal year budget to appropriate \$16,000 in fines and forfeiture revenue to support expenses associated with ongoing investigations. To date, the department has earned \$45,000 during the current year. Unexpended revenue shall be reserved for use in future years.

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

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**PRESENTATION OF THE MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2007-08**

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 1<sup>st</sup>. Tonight, the Board was presented with the FY2007-08 Recommended Budget. The recommended budget was submitted earlier than required by law so that the Board and community have sufficient time to discuss the initiatives proposed in the budget.

Steve Stewart, Town Manager, presented the recommended budget for Fiscal Year 2007-08.

Mayor Chilton asked the town staff consider providing a minimal level of recycling at town parks. In addition, he asked that staff look into offering a health insurance stipend of approximately \$1,500 for the seven permanent part-time employees.

Alderman Broun asked for projected costs for subsequent years for such a health insurance stipend program. In addition, she asked if the stipend could be sheltered through the flexible spending plan.

Alderman Gist asked that the Mayor forward a letter to federal and state leaders expressing the Board's concern about the problems with the healthcare system.

Alderman Coleman asked that the town staff consider eliminating the reservation fee for use of the Town Commons, and that the privilege license fee for small businesses be adjusted by creating a tier system. For example:

GROSS RECEIPTS	FEE
\$0 - \$25,000	\$10.00
\$25,000 - \$50,000	\$25.00

\$50,000 - \$75,000	\$50.00
\$75,000 - \$100,000	\$75.00

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

A RESOLUTION APPROVING THE BUDGET WORK SESSION  
SCHEDULE FOR REVIEW AND CONSIDERATION OF THE  
MANAGER’S RECOMMENDED BUDGET FOR THE FISCAL YEAR 2007-08  
Resolution No. 179/2006-07

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 2007-08:

Tuesday, May 8<sup>th</sup>  
Thursday, May 17<sup>th</sup>, *if necessary*

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2007:

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

Noes: None

Absent or Excused: John Herrera

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**PRESENTATION OF TEN YEAR PLAN TO END HOMELESSNESS IN ORANGE COUNTY**

Moses Carey, Co-Chair of the Orange County Partnership to End Homelessness, presented the Ten Year Plan to End Homelessness for Orange County. It was recommended that the Board accept the 10 Year Plan to End Homelessness in Orange County and direct staff to present information regarding future critical decision points during the implementation stage of the Plan.

Tara Fikes, Director of Orange County Housing and Community Development, presented the Ten Year Plan to End Chronic Homelessness in Orange County.

Moses Carey stated that the next step is for all the local governments to adopt the plan, contribute toward funding the position to help implement the plan, and appoint a representative to the executive committee to guide the plan through the next phase.

Ellen Perry suggested that homeless people be given a post office box and free storage for their belongings.

Alderman Coleman suggested that the Board delay accepting the plan in order to allow the Board to study the plan.

Mayor Chilton suggested that the Board schedule a future worksession to discuss the plan indepth.

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**A REPORT ON THE DESIGN PROCESS OF FIRE STATION #2 AND REQUEST TO AUTHORIZE THE TOWN MANAGER TO PROCEED WITH THE DESIGN CHARRETTE**

The purpose of this item was to authorize the architectural firm to proceed to the construction drawing phase (Phase II) on Fire Station #2 and implement a design charrette for public input.

Chief Crabtree made a presentation to the Board.

Jim Stewart with Stewart-Cooper-Newell, the architect for the new fire station, addressed the Board. He asked about the level of designed desired.—standard construction (metal frame), Triangle Area design standards, or LEED certified building. He stated that his firm’s goal is to make buildings energy efficient and easily maintained.

Steve Stewart stated that based on Board comments, the town staff was planning on a LEED certified design.

Mayor Chilton suggested that the additional investment to make the fire station energy efficient only be done if that investment could not be better spent on making some other environmental improvement in another town operation.

Alderman Zaffron asked that the Board be kept apprised of the design process.

Alderman Gist asked that the charrette be held before public schools are out.

Mr. Stewart stated that the charrette would be held in May.

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

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO  
PROCEED WITH A DESIGN CHARRETTE FOR THE FIRE SUBSTATION  
Resolution No. 174/2006-07**

BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro hereby authorizes the Town Manager to proceed with a design charrette for the fire substation.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2007:

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

Noes: None

Absent or Excused: John Herrera

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**PRESENTATION OF HOME PROGRAM FUNDING PLAN FOR BUDGET YEAR 2007-08 AND APPROVAL OF THE CONSOLIDATED PLAN**

The purpose of this item was to present to the Board of Aldermen the proposed plan developed by the HOME Program Review Committee for use of HOME Program funds for fiscal year 2007-2008.

Mayor Chilton asked to be recused from voting on this item because of his involvement in one of the agencies receiving these funds.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO RECUSE MAYOR CHILTON FROM VOTING ON THIS ISSUE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

[Alderman Zaffron left the meeting.]

James Harris made the presentation.

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

A RESOLUTION APPROVING THE ORANGE COUNTY  
 FY 2007-2008 HOME PROGRAM DESIGN  
 AND FY 2004-2005; 2005-2006; AND 2006-2007 HOME PROGRAM AMENDMENT  
 Resolution No. 173/2006-07

BE IT RESOLVED, by the Carrboro Board of Aldermen as a member of the Orange County HOME Consortium approve the following activities for the 2007-2008 HOME Program.

Homeownership Assistance	Orange Community Housing and Land Trust (Carrboro single-family homes)	\$140,000
	Habitat for Humanity (county-wide)	\$250,000
Rental Assistance	Tenant-Based Rental Assistance – Orange-Person-Chatham Mental Health Initiative	\$ 23,883
New Construction	Orange Community Housing and Land Trust (Tax Credit Rental Project)	\$300,000
Operational Support	Orange Community Housing and Land Trust	\$ 30,000
Administration	Orange County Housing and Community Development	\$ 66,122
	TOTAL	\$810,005

BE IT FURTHER RESOLVED, that the Carrboro Board of Aldermen as a member of the Orange County HOME Consortium approves the following amendment for Fiscal Years 2004, 2005, and 2006 due to changes in project plans.

1. The reallocation of \$70,000 in FY 2004 funds to Orange Community Housing and Land Trust for Second Mortgage Assistance in the Winmore subdivision to Homebuyer Assistance in the Culbreth Park and Tandler subdivisions in Chapel Hill.
2. The reallocation of \$70,000 in FY 2005 funds to Habitat for Humanity for New Construction for Sunrise Ridge to New Construction for the Purefoy Drive subdivision.
3. The reallocation of \$26,000 in FY 2005 funds to Weaver Community Housing Association for rental assistance to a Tenant Based Rental Assistance Program in support of the OPC Mental Health Agency Homelessness Initiative.
4. The reduction of FY 2004, 2005, and 2006 funds to EmPOWERment for second mortgage assistance from \$334,000 to \$250,000 for homebuyer assistance through Orange County. The remaining \$84,000 will be provided to a Tenant Based Rental Assistance Program in support of the OPC Mental Health Agency Homelessness Initiative.

5. The reallocation of \$120,000 in FY 2006 funds to Orange Community Housing and Land Trust from second mortgage assistance in the Waterstone subdivision to homebuyer assistance for land trust homes in Orange County.
6. The reallocation of \$100,027 in FY 2006 funds to the Chrysalis Foundation to a Tenant Based Rental Assistance Program in support of the OPC Mental Health Agency Homelessness Initiative.

BE IT FURTHER RESOLVED, that the Town Manager is hereby designated as the authorized representative of the Town to act in connection with the submission of this plan and to provide 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 1st day of May 2007:

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

Nose: None

Absent or Excused: John Herrera, Mark Chilton

Alderman Coleman asked that the Board consider requesting that no one who is a board member of the applicant agencies be a voting member of the Home Consortium.

Mayor Chilton asked that the town staff provide the Board copies of the documents on how consortium is constituted.

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**REQUEST FOR REPORT ON STATISTICS ON ARREST RECORDS**

Alderman Broun asked for statistics on who is being stopped and who is being arrested by the Carrboro Police Dept.

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**RECOMMENDATION FOR AN APPOINTMENT TO THE ORANGE COUNTY ECONOMIC DEVELOPMENT**

Alderman Coleman expressed interest in serving as the Town of Carrboro's representative on the Orange County Economic Development Commission.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O'DONNELL THAT DAN COLEMAN BE RECOMMENDED FOR APPOINTMENT TO THE ORANGE COUNTY ECONOMIC DEVELOPMENT COMMISSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

Alderman Coleman asked if the Board would consider asking the Carrboro Economic Sustainability Commission to change their meeting day since the Orange County Economic Development Commission also meets on the second Thursday of each month.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO REQUEST THAT THE ECONOMIC SUSTAINABILITY COMMISSION CONSIDER CHANGING THEIR MEETING DAY TO A DAY OTHER THAN THE SECOND THURSDAY OF EACH MONTH. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO ADJOURN TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 9:45 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

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Mayor

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Town Clerk