

A worksession of the Carrboro Board of Aldermen was held on Tuesday, June 12, 2007 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Alderman	Dan Coleman
	Jacquelyn Gist
	Randee Haven-O'Donnell
	Alex Zaffron.
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Deputy Town Clerk	Sharmin E. Mirman

Absent:

Aldermen	Joal Hall Broun
	John Herrera

FIRE STATION #2

Frances Shetley, a resident of 1130 Hillsborough Road, addressed the Board. She stated that she was concerned about the design of the new fire station and what will happen to the 200 year old holly tree. She submitted a petition signed by nine residents. They want a chance to participate in the design of the project.

Mayor Chilton stated that on Thursday, June 12th from 1:00-4:00 p.m. there would be a discussion about the fire station design in the Board Room for anyone who is interested in attending.

Alderman Gist asked staff to be sure that the people who signed the letter submitted by Ms. Shetley are notified on the meeting.

CONTINUED DISCUSSION OF LAND USE ORDINANCE TEXT AMENDMENT PERTAINING TO OPEN SPACE/LIVABILITY REQUIREMENTS

The Board of Aldermen, at its May 22, 2007 public hearing, considered an applicant's draft ordinance to amend the text of the Land Use Ordinance to replace the open space requirement for residential development downtown with requirements for urban amenities. The Board of Aldermen also considered the staff analysis and staff response in the form of a draft ordinance. This item responded to comments made by the Board of Aldermen at the public hearing.

Kendal Brown, one of the Town's Planner/Zoning Development Specialists, addressed the Board.

Jack Haggerty addressed the Board. He stated that he feels the staff proposal is reasonable.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN- O'DONNELL THAT SUBSECTION (d) OF SECTION 1 OF THE DRAFT ORDINANCE BE AMENDED TO READ AS FOLLOWS: "FOR DOWNTOWN DEVELOPMENTS IN WHICH 25 PERCENT OR MORE OF THE GROSS FLOOR AREA IS FOR RESIDENTIAL USE ONLY, THE DOWNTOWN LIVABILITY AREA AND URBAN AMENITIES RERQUIREMENTS ARE AS FOLLOWS:". VOTE: AFFIRMATIVE: FIVE, ABSENT: TWO (BROUN, HERRERA)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O'DONNELL TO INSERT THE WORD "SUBSTANTIALLY" IN SUBSECTION 3(A) OF THE DRAFT ORDINANCE. VOTE: AFFIRMATIVE: FIVE, ABSENT: TWO (BROUN, HERRERA)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE AS IT PERTAINS TO DOWNTOWN LIVABILITY AREA AND URBAN AMENITIES REQUIREMENTS" AMENDED TO DELETE SUBSECTION "E" AND THAT THE BOARD REVIEW THIS ORDINANCE IN TWO YEARS TO CONSIDER INCLUSION OF COMMERCIAL AREAS. (THIS MOTION INCLUDES THE TWO AMENDED MOTIONS ABOVE). VOTE: AFFIRMATIVE: FIVE, ABSENT: TWO (BROUN, HERRERA)

RETREAT FOLLOW-UP REPORT ON SELECTED RECOMMENDATIONS MADE BY REGIONAL TECHNOLOGY STRATEGIES, INC. RELATED TO "CREATING CARRBORO'S ECONOMIC FUTURE"

The purpose of this item was to provide the Board of Aldermen with a follow-up report on the first four of the seven selected recommendations referred to the Planning Department that were made by RTS Inc. in their 9-2006 report entitled "Creating Carrboro's Economic Future". The Planning Department will provide a report on the final three items in the fall. The first four recommendations include: 1) adding recommended sustainability guidelines to the development review process; 2) describe LUO requirements on home occupations or home based businesses to remove disincentives; 3) consider ways to evaluate town engineer's performance under future contracts; and 4) consider designating a planner/zoning development specialist position as an E.D. specialist.

Roy Williford, the town's Planning Director, addressed the Board.

Alderman Gist asked if it were possible to come up with a template or excel sheet with examples of common problems and solutions re: soil, road, etc. to clarify them for the development community.

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

A RESOLUTION ACCEPTING THE FOLLOW-UP REPORT ON THE FIRST FOUR OF SEVEN
SELECTED RECOMMENDATIONS REFERRED TO THE PLANNING DEPARTMENT
MADE BY RTS INC. IN THEIR SEPTEMBER-2006 REPORT ENTITLED
"CREATING CARRBORO'S ECONOMIC FUTURE"
Resolution No. 220/2006-07

WHEREAS, the Carrboro Board of Aldermen as part of their 2007 Annual Retreat considered the recommendations made by the September 2006 RTS Inc. report entitled "Creating Carrboro's Economic Future"

WHEREAS, the Carrboro the Board of Aldermen requested a follow-up report from the planning staff addressing seven recommendation made by RTS on pages 48 and 49 of the report entitled "Creating Carrboro's Economic Future";

WHEREAS, a the first in a series of two follow-up reports addressing four of seven recommendations was presented on June 12, 2007 by the Planning Staff.;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The follow-up report presented on June 12, 2007 on the first four of seven selected recommendations referred to the planning department by RTS Inc. in their September-2006 report entitled "Creating Carrboro's Economic Future" is hereby accepted.

Section 2. That staff recommendations #2 and 4 be implemented, that recommendation #1 be referred to the Planning Board, Environmental Advisory Board and Economic Sustainability Commission, that recommendation #3 be referred to the Planning Board, and that the proposal to delay requiring engineering detail until after the project has received its CUP but before construction plan approval, be referred to the Planning Board and Environmental Advisory Board.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of June 2007:

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

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

A REPORT ON ALTERNATIVE WASTE REDUCTION AND RECYCLING STRATEGIES

The purpose of this agenda item was to provide the Board of Aldermen with the information requested as a result of the Pay-As-You-Throw presentation on February 6, 2007.

George Seiz, the Town's Public Works director, addressed the Board. He presented three planned education initiatives to the Board:

1. Reduction of junk mail by providing citizens with information on how to get off marketing mailing lists and other promotional advertising lists;
2. Placement of stickers on roll-out carts to in an attempt to reduce aluminum cans; and
3. Apply for a DENR grant to purchase approximately 370 composting bins.

Alderman Haven O'Donnell recommended stackable composting bins and stated that not all food can be composted, and asked about an education component so people know what can be composted.

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

A RESOLUTION RECEIVING THE REPORT ON WASTE REDUCTION AND RECYCLING STRATEGIES Resolution No. 202/2006-07

WHEREAS, the town staff provided a report on waste reduction and recycling strategies for waste in the Town of Carrboro.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the report.

Section 2. That 2006-07 contingency funds be used to provide junk mail packet information to citizens, for the roll-out cart stickers regarding aluminum cans, and that the town staff pursue the grant for composting bins.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12h day of June 2007:

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

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

REPORT ON STRATEGIES FOR MANAGING CONSTRUCTION TRAFFIC ASSOCIATED WITH NEW DEVELOPMENT IN THE DOWNTOWN

This report responded to a request from the Board of Aldermen for the staff to present a strategy to manage traffic associated with the construction of several proposed projects in close proximity to each other within the downtown.

Roy Williford, the town's Planning Director, addressed the Board.

Alderman Gist expressed concerns with traffic and livability issues that will come with multiple projects being constructed simultaneously, and that keeping general neatness must be written into contracts. She requested that there be notification of blasting, schedule of work/restricted work hours, and that all of these meet that standard. She requested use of the opaque green material used with construction on campus with the new projects downtown.

Alderman Haven-O'Donnell asked if there could be a map on the website, with updated information, to clearly delineate when roads will be closed and blasting will occur. She asked if there could be a timeline once we know when construction begins.

RESOLUTION IN SUPPORT OF THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT

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

A RESOLUTION IN SUPPORT OF ENACTMENT OF THE FIRE-SAFETY STANDARD
AND FIREFIGHTER PROTECTION ACT IN NORTH CAROLINA
AND URGING THE LEGISLATURE AND GOVERNMENT TO ADOPT SUCH LEGISLATION
Resolution No. 241/2006-07

WHEREAS, the town and Carrboro Board of Aldermen are committed to reducing the risk of fires, fire deaths and injuries and property damage resulting from fires ignited by cigarettes in the town and the state; and

WHEREAS, The Fire-Safety Standard and Firefighter Protection Act has been introduced in the North Carolina General Assembly (House DRH80319-LB-340); and

WHEREAS, cigarettes are the leading cause of fire deaths in North Carolina and the United States; and

WHEREAS, young children, the elderly, and firefighters and other non-smokers are often the victims of such fires; and

WHEREAS, fires ignited by cigarettes cause property damage and result in municipal firefighting, emergency response and treatment expenditures; and

WHEREAS, The Fire-Safety Standard and Firefighter Protection Act would require that cigarettes sold in North Carolina meet fire safety standards to make cigarettes less likely to ignite upholstery and mattresses; and

WHEREAS, the Fire-Safety Standard and Firefighter Protection Act would require that North Carolina adopt the identical cigarette fire safety test and standard currently in use in the states of New York, Vermont and California, as well as Canada; and

WHEREAS, the identical cigarette fire safety test and standard contained in The Fire-Safety Standard and Firefighter Protection Act has been adopted by the states of Illinois, New Hampshire, Massachusetts, Utah, Kentucky, Oregon, New Jersey, Minnesota, Montana, Maryland and Iowa; and

WHEREAS, fire departments, firefighter associations, the National Fire Protection Association, and other civic organizations support The Fire-Safety and Firefighter Protection Act; and

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

Section 1. The Board of Aldermen discussed the matter of supporting enactment of the Fire-Safety and Firefighter Protection Act.

Section 2. The Board of Aldermen supports adoption of The Fire-Safety and Firefighter Protection Act and urges the Legislature and Governor to enact this important legislation.

Section 3. The Board of Aldermen directs that a copy of this resolution be forwarded to the Governor, local legislative representatives and the sponsors of this legislation.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of June 2007:

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

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

RESOLUTION EXPRESSING OPPOSITION TO HOUSE BILL 1587

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

A RESOLUTION EXPRESSING THE CARRBORO BOARD OF ALDERMEN'S OPPOSITION TO HOUSE BILL 1587 AND URGING ITS DEFEAT IN THE NORTH CAROLINA GENERAL ASSEMBLY
Resolution No. 239/2006-07

WHEREAS, the Board of Aldermen of the Town of Carrboro understands House Bill 1587, "The Local Government Fair Competition Act", introduced in the 2007 Session of the General Assembly of North Carolina, seeks to transform municipal fiber optics systems laws such that it will effectively prevent municipalities from competing in the marketplace with commercial providers; and

WHEREAS, the Town of Carrboro, after discussion by the Board of Aldermen, wishes to reserve the right to use future public communications infrastructure, such as fiber optic and wireless networks, for the public good; and

WHEREAS, the Board of Aldermen desires that all of the citizens, consumers and businesses in Carrboro have equal access to advanced and cost effective communications and entertainment services; and

WHEREAS, the Board of Aldermen believes House Bill 1587 adds unnecessary burdens to local governments who have chosen to provide high-speed broadband telecommunication services to its businesses and residences and hinders the Town of Carrboro's ability to act in accordance with the best interests of its citizenry; and

WHEREAS, the Town of Carrboro believes that House Bill 1587 is not intended to make competition fair, but to disable local governments' ability to provide necessary services where current high quality internet services are non-existent and where private companies have chosen not to invest in those services; and

WHEREAS, the Board of Aldermen believes House Bill 1587 contradicts existing law, including the Local Development Act of 1925 as established by NCGS § 158 that allows local government to give support to the economic development of communities throughout North Carolina; and

WHEREAS, the General Assembly has already established laws which apply to local governments seeking to offer an enterprise service to its community (NCGS § 160A Article 16, NCGS § 159 Article 3, and NCGS § 160A, Article 3);

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the Board of Aldermen opposes passage of House Bill 1587 because of the additional and unnecessary barriers to local government's efforts to meet residents' telecommunication needs.

BE IT FURTHER RESOLVED that the Board of Aldermen urges the Finance Committee of the North Carolina House of Representatives to issue an unfavorable report on House Bill 1587 and urges each member of the General Assembly to reject this poorly conceived policy measure.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of June 2007:

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

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELY GIST TO ADJOURN THE MEETING AT 10:32 P.M. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, HERRERA)

Mayor

Deputy Town Clerk