

A public hearing of the Carrboro Board of Aldermen was held on Tuesday, November 24, 2009 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun (arrived at 7:43 p.m.)
	Dan Coleman
	Randee Haven-O'Donnell
	Lydia Lavelle
	Sammy Slade
Town Manager	Steven E. Stewart
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Jacquelyn Gist
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### **SITING OF ORANGE COUNTY SOLID WASTE TRANSFER STATION**

Mark Dorosin, speaking on behalf of the Millhouse and Eubanks Road Community, asked that the Board adopt a resolution asking that the County Commissioners drop consideration of the Paydarfar property as the site for the solid waste transfer station.

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### **A RESOLUTION SUPPORTING "BUY CARRBORO WEEK 2009" (ITEM A(1))**

The purpose of this item was for the Mayor and Board of Aldermen to consider a resolution supporting "Buy Carrboro Week 2009" as recommended by the local business network known as LocalMotive.

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

#### **A RESOLUTION SUPPORTING "BUY CARRBORO WEEK 2009" Resolution No. 61/2009-10**

Whereas, Carrboro's locally-owned businesses are a big part of our town's distinctive character; and

Whereas, local businesses are the largest employer nationally, and create more and high-paying jobs in our community; and

Whereas, shopping closer to home and buying local products conserves energy and resources in the form of fuel and packaging; and

Whereas many of Carrboro's local businesses donate dollars, time and other resources to our local government, schools, churches and non-profit agencies which receive an average 350% more support from local business than from non-local businesses; and

Whereas, buying local instead of online or outside the County ensures that sales taxes are reinvested locally; and

Whereas, for every \$100 spent at a locally-owned business, \$68 stays in our community while that same \$100 spent at a chain store only \$43 stays local; and

Whereas, supporting locally owned businesses sustains a variety of offerings catering to many different tastes; and

Whereas, customer service is better in local businesses because they are owned by people who know our community, are less likely to leave it, and are more invested in our success; and

Whereas, Carrboro's entrepreneurial ventures are engines for job growth, and the foundation of a strong, diversified and sustainable economy; and

Whereas, our unique destinations like the Farmer's Market, DSI, Carr Mill Mall, the ArtsCenter, and Cat's Cradle depend on community support; and

Whereas, the town created the Local Living Economy Task Force (LLETf) which developed the above list of reasons to buy local; and

Whereas, on April 7, 2009, the LLETf recommended that the town "support establishment of a business network... support promotion of events... [and] support business network's educational efforts on buy local;" and

Whereas, the local business network "LocalMotive" has formed and is partnering with the town to promote shopping locally for the holiday season.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Carrboro Board of Aldermen hereby resolves that December 5-12, 2009 is declared "Buy Carrboro Week 2009" and encourages all Carrboro residents to do as much of their holiday shopping as possible here in Carrboro.

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 24th day of November 2009:

Ayes: Dan Coleman, Lydia Lavelle, Sammy Slade, Mark Chilton, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Jacquelyn Gist, Joal Hall Broun

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**A PUBLIC HEARING ON THE CHAPEL HILL AND CARRBORO 2035 LONG RANGE TRANSIT PLAN (ITEM B(1))**

This public hearing was proposed to receive public input and advisory board recommendations on the Final Draft 2035 Long Range Transit Plan for Chapel Hill and Carrboro. A resolution referring the comments for staff review was recommended.

Jeff Brubaker, the town's Transportation Planner, made the presentation.

[Alderman Broun arrived at the meeting.]

Giles Blunden stated that he feels rail transport is very important to connect the university to Carolina North. He stated that without commitment it will not happen and this should be included in the long range transit plan.

Mike Benson spoke in favor of light rail service.

James Carnahan suggested tabling this plan and go through a master planning process to put carbon reduction and global warming at the very forefront. He also stated that a rail line is very important.

Patrick McDonough voiced his concern that the transit plan does not focus on improving local bus service. He stated that public survey information is needed in this plan and improvements are needed to current bus routes.

Steve Slade, Director of Chapel Hill Transit, stated that the long range transit plan focuses on the corridors because that was where most of the congestion was. He stated that as the short range transit plans identify the service concepts that are going to be in each corridor, then they will get into the specifics of designing the local service.

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

A RESOLUTION RECEIVING ADVISORY BOARD RECOMMENDATIONS AND  
PUBLIC COMMENTS ON THE CHAPEL HILL AND CARRBORO  
2035 LONG RANGE TRANSIT PLAN AND REFERRING THE PLAN TO  
TOWN STAFF FOR FURTHER REVIEW  
Resolution No. 59/2009-10

WHEREAS, the Towns of Carrboro and Chapel Hill and the University of North Carolina have worked together to provide public transit service to the local community for over thirty years; and

WHEREAS, the Town of Carrboro has set annual goals to extend and improve transportation to all areas of Carrboro; and

WHEREAS, an objective of the *Carrboro Vision 2020* plan is for the Town of Carrboro to “expand its participation in organization and planning for the community bus system”; and

WHEREAS, the Final Draft of the Chapel Hill and Carrboro 2035 Long Range Transit Plan (the “Plan”) was completed in July 2009 and subsequently made available for public review;

WHEREAS, on October 6, 2009, the Carrboro Board of Aldermen passed a resolution referring the Plan for advisory board and public review;

WHEREAS, there have been two advisory board review sessions in November 2009 that focused on the Plan, including a public meeting on November 19.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. The Board of Aldermen receives comments on the Plan; and

2. The Board of Aldermen refers the Plan to Town staff for further review based on Board comments and questions, advisory board recommendations, and public comments.
3. Have discussion of light rail, including financial discussions.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of November 2009:

Ayes: Dan Coleman, Lydia Lavelle, Sammy Slade, Mark Chilton, Joal Hall Broun, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Jacquelyn Gist

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**A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW 5.110 USES AS PERMISSIBLE IN THE B-4 ZONING DISTRICT (ITEM B(2))**

Sara Macko has submitted a request to amend the Land use Ordinance to allow 5.110, elementary and secondary schools, as a permissible use in the B-4 zoning district. A draft ordinance has been prepared. The Board of Aldermen must receive public comment before taking action on the draft ordinance.

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

Michael Hubbard spoke in support of Pace Academy and the proposed location.

Rhonda Franklin, Principal of Pace Academy, spoke in favor of the proposed text amendment. She stated that they currently have 120 students and this amendment would allow 250 to 300 students.

Jane Miller stated that Pace Academy needs space to grow, and that the Academy provides occupational and career training for students with disabilities.

Elizabeth Craig, a parent of a child that attends Pace Academy, spoke in support of the text amendment to allow Pace Academy to relocate and expand.

Brian Hughes, a former Pace Academy student, stated that they really need the additional space for Pace Academy.

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

**A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE  
BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT  
TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE  
Resolution No. 54/2009-10**

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY THE TABLE OF PERMISSIBLE USES TO ALLOW 5.110 USES IN THE B-4 ZONING DISTRICT

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision2020 Policy 1.35, which states:

The town should consider the impact of its ordinances and policies on the wellbeing of its most vulnerable citizens, including the elderly, children, those with disabilities and those living on low-, middle-, or fixed incomes.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to provide for a range of non-residential development, including those that support human service needs not provided in other ways.

Section 3. This resolution becomes effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of November 2009:

Ayes: Dan Coleman, Lydia Lavelle, Sammy Slade, Mark Chilton, Joal Hall Broun, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Jacquelyn Gist

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY THE TABLE OF PERMISSIBLE USES TO ALLOW 5.110 USES IN THE B-4 ZONING DISTRICT, AS AMENDED." VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

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**PUBLIC HEARING ON LAND USE ORDINANCE TEXT AMENDMENTS TO ARTICLE XX IN ORDER TO COMPLY WITH RECENT AMENDMENTS TO NCGS 160A-384 REQUIRING NON-OWNER APPLICANTS FOR ZONING MAP AMENDMENTS TO PROVIDE ACTUAL NOTICE TO THE OWNERS OF THE AFFECTED PARCELS (ITEM B(3))**

Statutory requirements for notice during rezonings have been revised. A draft ordinance that will make the town's notice requirements consistent with the General Statutes has been prepared. The Board of Aldermen must receive public comment before taking action on amendments to the Land Use Ordinance.

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

**A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE  
Resolution No. 55/2009-10**

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING ARTICLE XX OF THE CARRBORO LAND USE ORDINANCE – NOTICE FOR ZONING MAP AMENDMENTS.

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

Section 1. The Board concludes that the above-described amendment is consistent with enabling authority as specified in S.L. 2009-178.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with enabling legislation.

Section 3. This resolution becomes effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of November 2009:

Ayes: Dan Coleman, Lydia Lavelle, Sammy Slade, Mark Chilton, Joal Hall Broun, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Jacquelyn Gist

MOTION WAS MADE BY LYDIA LAVELLE AND SECONDED BY RANDEE HAVEN-O'DONNELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING ARTICLE XX OF THE CARRBORO LAND USE ORDINANCE – NOTICE FOR ZONING MAP AMENDMENTS." VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

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**PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT MODIFYING THE INCOME LIMIT FOR AFFORDABLE UNITS AND THE PROPORTION OF AFFORDABLE UNITS NEEDED TO DETERMINE OTHER REGULATORY REQUIREMENTS (ITEM B(4))**

A draft ordinance that makes changes to the income limit and proportion of affordable units was prepared in follow-up to a request from Robert Dowling of the Community Home Trust. The Board of Aldermen must receive public comment before taking action. Staff recommended that Board of Aldermen continue the public hearing on this matter to February 23, 2010.

Alderman Broun asked for information on building costs, price and subsidy.

Mayor Chilton asked that the Durham-Orange Home Builders Association be notified of this amendment.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL BROUN TO OPEN THIS PUBLIC HEARING AND CONTINUE IT TO FEBRUARY 23, 2010. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

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**REQUEST FOR A CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE**

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY SAMMY SALDE TO ADJOURN TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

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MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO  
ADJOURN THE MEETING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

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Mayor

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Town Clerk