

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 20, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Jacquelyn Gist
	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	Dan Coleman
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INVITATION TO CARRBORO DAY

Joy Presslar, on behalf of the Carrboro Day Committee, extended an invitation to the Board of Aldermen to attend Carrboro Day 2010, which is scheduled for May 2, 2010 from 12:45 p.m. to 7:00 p.m.

Alderman Gist announced that the Community Art Project will be occurring on May 2nd also.

REQUEST FOR REPORT ON CONTROLLING DEER POPULATION

Ashley Stanford, a resident of 1800 N. Greensboro St., asked that Town of Carrboro get on Board with resolving the deer problem. He suggested that the town consider allowing dogs to run loose at night.

Mayor Chilton asked if there is anything that could be done about people feeding deer.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO REQUEST THAT THE TOWN STAFF REPORT ON WHAT CHAPEL HILL AND DUKE FOREST ARE DOING TO CONTROL THE DEER POPULATION, ALONG WITH PERTINENT INFORMATION FROM THE N.C. WILDLIFE COMMISSION REGARDING FEEDING DEER. VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN)

PROCLAMATION ISSUED

Mayor Chilton read a proclamation proclaiming April as Sexual Assault Awareness Month in the Town of Carrboro.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO APPROVE THE APRIL 6 AND 12, 2010 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN)

AMENDMENT TO THE FEES AND CHARGES GUIDELINES FOR CENTURY CENTER USE

The purpose of this agenda item was to request that the Board of Aldermen approve an amendment to the current Fees and Charges Guidelines for Century Center Use to add the following factor as a determination that an event is town sponsored: *“e. The event substantially advances the Town’s policies or goals of Vision 2020.”*

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

**A RESOLUTION APPROVING AN AMENDMENT TO THE
FEES AND CHARGES GUIDELINES FOR CENTURY CENTER USE
Resolution No. 136/2009-10**

WHEREAS, the Board of Aldermen wanted to revisit the Century Center waiver use guidelines; and

WHEREAS, the Board of Aldermen wants to ensure that the guidelines include language that will benefit the town and the goals set forth by The Vision 20/20 document; and

WHEREAS, the Board reviewed the amendment to the guidelines;

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

Section 1. The Board of Aldermen approves the amendment to the Century Center Fees and Charges Guidelines to include the following factor as a determination that an event is town sponsored: *“e. The event substantially advances the Town’s policies or goals of Vision 2020, and abide by the town’s anti-discrimination policy.”*

Section 2. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 20th day of April 2010:

Ayes: Sammy Slade, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O’Donnell

Noes: None

Absent or Excused: Dan Coleman

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O’DONNELL TO REQUEST THAT THE TOWN STAFF RESEARCH THE POSSIBILITY OF AN ANTI-DISCRIMINATION POLICY FOR USE OF TOWN PROPERTY. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GIST)

**A REQUEST FOR THE LEGISLATIVE DELEGATION TO ADD THE TOWN OF CARRBORO TO
SESSION LAW 2009-149**

The purpose of this agenda item was to consider a resolution requesting that the Town’s Legislative Delegation add the Town of Carrboro to Session Law 2009-149.

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

**A RESOLUTION REQUESTING THAT THE TOWN OF CARRBORO
BE INCLUDED UNDER SESSION LAW 2009-149**

WHEREAS, the General Assembly of the State of North Carolina will begin its 2010 session in May of 2010; and

WHEREAS, the Board of Aldermen met with the Town's Legislative Delegation on April 12, 2010 to outline the Board's legislative priorities; and

WHEREAS, Section 5.51 of the Town's Vision 2020 policy document calls for the Town to "promote every available means of energy conservation, alternative and renewable energy targets including passive and active solar, and composted waste cogeneration."

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

Section 1. The Board of Aldermen requests that the Orange County legislative delegation add the Town of Carrboro to Session Law 2009-149 in order to exempt the Town from Competitive Bidding requirements when letting contracts for use as part of any pilot program authorized by the Board of Aldermen to test the efficiency and effectiveness of Light-Emitting Diode (LED) technologies, to expand the act to all Town approved programs aimed at increasing energy efficiency, and to authorize the Town to enter into a lease for the siting and operation of a renewable energy facility for up to twenty years without treating it as a sale and without giving notice by publication.

Section 2. Copies of this resolution shall be forwarded to the Orange County legislative delegation.

Section 3. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 20th day of April 2010:

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

Noes: None

Absent or Excused: Dan Coleman

**CONTINUATION OF A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT
REVISING OUTDOOR LIGHTING STANDARDS**

A draft ordinance modifying outdoor lighting provisions was presented. The Board of Aldermen must receive public comment before taking action.

Trish McGuire, the town's Planning Administrator, reviewed responses to the Board's questions from the last meeting regarding this issue.

Shannon Brummet stated that he felt the 25-foot poles will allow them to provide safety to their residents. He stated that they experience more problems in areas where there is darkness and that they plan use cut out lenses.

Giles Blunden stated that he designs low-impact facilities and that lighting needs to be managed in terms of pollution. He stated that it is important that the ordinance does not restrict low-impact subdivisions.

Jay Bryan, Chair of the NTAAC, reviewed the Northern Transition Area Advisory Committee recommendations.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Lydia Lavelle.

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. 94/2009-10

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 REVISING ARTICLE XV THE CARRBORO LAND USE ORDINANCE WITH RESPECT TO OUTDOOR LIGHTING STANDARDS 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 Vision 2020, policies 2.42, 2.51, 3.1, and 3.25.

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 maintain its distinctive town character, support implementation of the Northern Study Area plan, minimize negative environmental impact, and improve lighting in the downtown and other areas.

Section 3. This resolution becomes effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 20th day of April 2010:

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

Noes: None

Absent or Excused: Dan Coleman

MOTION WAS MADE BY LYDIA LAVELLE AND DULY SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE REVISING ARTICLE XV OF THE CARRBORO LAND USE ORDINANCE WITH RESPECT TO OUTDOOR LIGHTING STANDARDS," WITH THE FOLLOWING CHANGES:

- a. Section 15-242.4(c) be amended to delete the following phrase: "to an extent substantially equivalent to that provided for town streets under the town's street lighting policy."
- b. Section 15-242.5(f)(1)(a) be amended to read: "An existing multi-family residential development of greater than four (4) units is seeking to improve security and safety for residents by increasing the number of light fixtures and is also seeking to utilize light fixtures that are similar in size and style to existing fixtures; or".
- c. Section 15-242.8(a) be amended to read: "The mounting height of outdoor sports fields and outdoor performance area lighting fixtures shall not exceed 60 feet from finished grade unless approved by the permit-issuing authority after receipt of substantial information justifying the need for additional height."

VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN)

PRESENTATION OF HISTORIC CARRBORO PLAQUES FOR THE CENTURY CENTER AND TOWN HALL

Tom Wiltberger, a member of the Appearance Commission and the Historic Plaque Program, gave an update on the Historic Plaque Program and presented the Board of Aldermen with historic plaques for the Century Center and Town Hall.

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

**A RESOLUTION ACCEPTING HISTORIC CARRBORO PLAQUES FOR THE CENTURY CENTER AND TOWN HALL
Resolution No. 135/2009-10**

WHEREAS, the Historic Plaque Program purchased two plaques for The Century Center and Town Hall.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accept the Historic Carrboro Plaques for The Century Center and Town Hall.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 20th day of April 2010:

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

Noes: None

Absent or Excused: Dan Coleman

DISCUSSION OF ORANGE COUNTY'S NO FAULT WELL REPLACEMENT POLICY

The purpose of this item was to present to the Board of Aldermen the recommendation from Orange County for the No Fault Well Replacement Policy and the request for Carrboro's consent to use enterprise fund revenues to provide for "public benefits" such as well replacement. The town staff recommended that the Board consider the No Fault Well Policy proposal from the County and that if the Board wished to endorse the policy, a resolution should be adopted approving the policy to the extent it is permitted by law.

Mayor Chilton stated that Alderman Coleman had requested that this matter be rescheduled for a later date when he could be present for the discussion.

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY JOAL HALL BROUN TO REQUEST STAFF TO RESCHEDULE THIS MATTER. VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN)

A RESOLUTION DESIGNATING MAY AS BIKE MONTH AND MAY 17-21 AS BIKE TO WORK WEEK

The Board was asked to consider adopting a resolution designating May 2010 as Bike Month and the week of May 17-21, 2010, as Bike to Work Week. An update was provided on events planned in Carrboro, in coordination with the Town of Chapel Hill, area bike shops, and regional transportation planning partners.

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

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Lydia Lavelle.

A RESOLUTION DESIGNATING MAY 2010 AS BIKE MONTH AND
THE WEEK OF MAY 17-21, 2010, AS BIKE TO WORK WEEK
Resolution No. 134/2009-10

WHEREAS, the League of American Bicyclists is promoting May 2010 as National Bike Month and the week of May 17-21, 2010, as Bike to Work Week; and

WHEREAS, *Carrboro Vision 2020* (Sec. 4.3) recommends implementation of the Town's bicycle and pedestrian network plans; and

WHEREAS, the Carrboro Comprehensive Bicycle Transportation Plan recommends promoting National Bike Month and Bike to Work Day (the Friday of Bike to Work Week); and

WHEREAS, promoting bicycling as a mode of transportation helps the Town of Carrboro progress toward greenhouse gas reduction goals; and

WHEREAS, according to the League of American Bicyclists, when a short trip is made by bicycle instead of a single-occupancy vehicle, it prevents 3.6 pounds of pollutants per mile from being emitted into the atmosphere; and

WHEREAS, a lack of physical activity plays a leading role in rising rates of obesity, diabetes, and other health problems among children and adults, and bicycling is a fitness activity that may lower these health risks;

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

1. May 2010 is designated as Bike Month
2. May 17-21, 2010, is designated as Bike to Work Week

The following resolution having been submitted to a vote received the following vote and was duly adopted this 20th day of April 2010:

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

Noes: None

Absent or Excused: Dan Coleman

**RESPONSE TO ORANGE COUNTY REGARDING THE TOWN'S INTEREST IN A PETITION
CALLING FOR THE TOWN TO CEDE PLANNING JURISDICTION OVER FARM PROPERTIES
IN THE ETJ**

The purpose of this item is to provide the Board of Aldermen with a request from Orange County's Attorney, John L. Roberts for information regarding the Mayor and Board of Aldermen's position on relinquishing control and land use regulatory authority of farms within Carrboro's ETJ to Orange County. As the letter states, this is not a request that Carrboro relinquish any of its authority, just a request for information on the Town's position.

Alderman Gist pointed out that there are only three farms located in Carrboro.

Mayor Chilton spoke in support of the joint planning agreement and stated that he would respond to Orange County regarding this matter.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO
ADJOURN THE MEETING AT 9:32 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN

Mayor

Town Clerk