

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 21, 2012 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton [ <i>Arrived at 7:45</i> ]
Aldermen	Dan Coleman
	Jacquelyn Gist
	Michelle Johnson
	Lydia Lavelle
	Randee Haven-O'Donnell
	Sammy Slade
Interim Town Manager	C. Matthew Efird
Town Clerk	Catherine C. Wilson
Town Attorney	Michael B. Brough

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### **CHARGES ISSUED**

The Town Clerk issued a charge to Charlie Hileman, a Greenways Commissioner.

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### **APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF FEBRUARY 7, 2012. VOTE: AFFIRMATIVE SIX, ABSENT ONE (CHILTON).

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### **A FOLLOW-UP TO REQUEST FROM COMMUNITY HOME TRUST AND REQUEST-TO-SET A PUBLIC HEARING ON AN LUO TEXT AMENDMENT – RELATING TO THE DEFINITION OF AFFORDABLE UNITS**

On February 7<sup>th</sup>, Community Home Trust staff Robert Dowling and Anita Badrock submitted a request to the Board of Aldermen regarding the pricing of affordable housing units in relation to the Ballentine subdivision.

The following resolution was introduced by Alderman Gist and seconded by Alderman Haven-O'Donnell:

A RESOLUTION FOLLOWING UP ON REQUESTS FROM THE COMMUNITY HOME TRUST AND  
CALLING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE  
ORDINANCE PROVISIONS DEALING WITH THE DEFINITION OF AFFORDABLE HOUSING  
Resolution No. 89/2011-12

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

WHEREAS, the Carrboro Board of Aldermen continues to support the provision of owner-occupied affordable homes by the Community Home Trust; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen amends the fee waiver policy to include application fees for land use ordinance text amendments among those that can be waived by the Board under the policy.

BE IT FURTHER RESOLVED that the Board of Aldermen calls a public hearing on March 20, 2012 to consider adopting “AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO THE DEFINITION OF AFFORDABLE HOUSING UNITS.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for expedited review of less than 30 days per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of February 2012:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Michelle Johnson, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Mark Chilton

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**A REQUEST TO SET A PUBLIC HEARING ON A CONDITIONAL USE REZONING AND CONDITIONAL USE PERMIT APPLICATION FOR 201 N. GREENSBORO STREET**

Revco Discount Drug Centers, Inc. and others have submitted a petition and application for a B-1(C) conditional use rezoning and a conditional use permit (CUP), to allow for the construction of a two-story mixed use building on the properties on the northeast corner of the intersection of N. Greensboro and Weaver Streets in downtown Carrboro. Prior to reaching a decision on these requests, the Board of Aldermen must receive public input. A resolution setting a public hearing was provided for the Board's use.

The following resolution was introduced by Alderman Gist and seconded by Alderman Haven-O'Donnell:

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED 201 N. GREENSBORO STREET  
CONDITIONAL USE DISTRICT REZONING/CONDITIONAL USE PERMIT  
Resolution No. 87/2011-12**

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

WHEREAS, an application has been received for a Conditional Use District Rezoning/ Conditional use permit for the properties known collectively as 201 N. Greensboro Street.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on March 27<sup>th</sup>, 2012 to discuss the proposed rezoning and conditional use permit application for redevelopment of the property at 201 N. Greensboro Street.

BE IT FURTHER RESOLVED by the Board of Aldermen that the rezoning petition is hereby referred for review to the Planning Board.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21<sup>st</sup> day of February 2012:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Michelle Johnson, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Mark Chilton

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**AMENDMENT TO THE FY 2011-12 ANNUAL BUDGET ORDINANCE – ADDITIONAL SEEA GRANT FUNDS**

The Board was requested to approve a budget amendment to appropriate for use an additional \$165,000 in grant funds received from the Southeast Energy Efficiency Alliance (SEEA).

Alderman Slade asked that the multifamily information be readily accessible on the Town’s website.

The following ordinance was introduced by Alderman Haven-O’Donnell and seconded by Alderman Lavelle:

**AMENDMENT TO FY 2011-12 ANNUAL BUDGET ORDINANCE**  
Ordinance No. 19/2011-12

WHEREAS, the Town Board of the Town of Carrboro on June 21, 2011 adopted annual budget ordinance number 23/2010-11 for the fiscal year beginning July 1, 2011 and ending June 30, 2012; and

WHEREAS, it is appropriate to amend the budget accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

<b>ACCOUNT NAME</b>	<b>CURRENT BUDGET</b>	<b>INCREASE (DECREASE)</b>	<b>REVISED BUDGET</b>
<b>Program Management</b>	<b>\$ 20,000.00</b>	<b>\$ 15,000.00</b>	<b>\$ 35,000.00</b>
<b>Residential Finance Subsidy</b>	<b>\$ 34,650.00</b>	<b>\$ 55,000.00</b>	<b>\$ 89,650.00</b>
<b>Audit Subsidy</b>	<b>\$ 14,750.00</b>	<b>\$ 11,000.00</b>	<b>\$ 25,750.00</b>
<b>QA/OC</b>	<b>\$ 8,500.00</b>	<b>\$ 4,000.00</b>	<b>\$ 12,500.00</b>
<b>Multi-Family Pilot Program</b>	<b>\$ -</b>	<b>\$ 75,000.00</b>	<b>\$ 75,000.00</b>
<b>Marketing</b>	<b>\$ -</b>	<b>\$ 5,000.00</b>	<b>\$ 5,000.00</b>
<b>TOTAL</b>	<b>\$ 77,900.00</b>	<b>\$ 165,000.00</b>	<b>\$ 242,900.00</b>

REASON: To recognize and appropriate for use additional SEEA grant funds in the amount of \$165,000 to expand existing the single family residential energy efficiency program and implement a multifamily residential pilot project.

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this 21<sup>st</sup> day of February 2012:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Michelle Johnson, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Mark Chilton

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**AMENDMENT TO THE FY 2011-12 BUDGET ORDINANCE – SIDEWALK BOND PROJECTS**

The Board was requested to approve a budget amendment for the Elm Street Sidewalk Project that included the transfer of additional bond proceeds and construction expenses from the Phase 1B to the Elm Street Sidewalk project and appropriation of bond funds to hire a projects manager.

In response to a question from Alderman Slade, George Seiz, the Town’s Public Works Director, explained that the increase shown for the Elm Street sidewalk project is due to soil contamination issues and NCDOT approval timing.

The following ordinance was introduced by Alderman Haven-O’Donnell and seconded by Alderman Lavelle:

**AMENDMENT TO FY 2011-12 ANNUAL BUDGET ORDINANCE**  
Ordinance No. 20/2011-12

WHEREAS, the Town Board of the Town of Carrboro on June 21, 2011 adopted annual budget ordinance number 23/2010-11 for the fiscal year beginning July 1, 2011 and ending June 30, 2012; and

WHEREAS, it is appropriate to amend the budget accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

<b>ACCOUNT NAME</b>	<b>CURRENT BUDGET</b>	<b>INCREASE (DECREASE)</b>	<b>REVISED BUDGET</b>
<b>Phase 1-B Bond Proceeds</b>	<b>\$ 1,449,922.00</b>	<b>\$ (156,200.00)</b>	<b>\$1,293,722.00</b>
<b>Elm Street Sidewalk Bond Proceeds</b>	<b>\$ 16,000.00</b>	<b>\$ 66,200.00</b>	<b>\$ 82,200.00</b>
<b>Safe Routes to School Grant</b>	<b>\$ 300,000.00</b>	<b>\$ -</b>	<b>\$ 300,000.00</b>
<b>Design</b>	<b>\$ 14,500.00</b>	<b>\$ -</b>	<b>\$ 14,500.00</b>
<b>Inspections/Engineering</b>	<b>\$ 14,500.00</b>	<b>\$ -</b>	<b>\$ 14,500.00</b>

<b>Right-of-Way Acquisition</b>	<b>\$ 16,000.00</b>	<b>\$ -</b>	<b>\$ 16,000.00</b>
<b>Construction</b>	<b>\$ 271,000.00</b>	<b>\$ 66,200.00</b>	<b>\$ 337,200.00</b>
<b>Bond Capital Projects Manager</b>	<b>\$ -</b>	<b>\$ 90,000.00</b>	<b>\$ 90,000.00</b>

REASON: To appropriate additional bond proceeds from the Phase 1B budget to the Elm St. sidewalk budget and appropriate bond funds for a bond capital projects manager.

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this 21<sup>st</sup> day of February 2012:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Michelle Johnson, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Mark Chilton

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**A REQUEST TO SET A PUBLIC HEARING TO OBTAIN COMMUNITY INPUT FOR THE FY 2012-13 BUDGET**

The purpose of this item was to set a date to hold a public hearing to receive suggestions and comments from the community on needs and priorities for the upcoming FY 2012-13 budget.

The following resolution was introduced by Alderman Gist and seconded by Alderman Haven-O'Donnell:

A RESOLUTION TO SET A PUBLIC HEARING TO RECEIVE SUGGESTIONS AND COMMENTS ON  
CARRBORO COMMUNITY NEEDS AND PRIORITIES FOR FISCAL YEAR 2012-13 BUDGET  
BEGINNING JULY 1  
Resolution No. 88/2011-12

WHEREAS, the Board of Aldermen desires to receive suggestions and comments from the Carrboro community on needs and priorities for the budget beginning July 1, 2012; and

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

The Board of Aldermen will hold a public hearing on Tuesday, February 28, 2012 at 7:30 p. m. in Town Hall Board Room to receive citizen suggestions and comments on needs and priorities for the Fiscal Year 2012-13 budget beginning July 1, 2012.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21<sup>st</sup> day of February 2012:

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

Noes: None

Absent or Excused: None

[Mayor Chilton joined the meeting.]

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**FOLLOW-UP DISCUSSION REGARDING THE BALDWIN PARK GARDEN EXPANSION, RAIN CATCHMENT, AND SIGNAGE PROPOSAL**

The purpose of this item was for the Board of Aldermen to review the Baldwin Park garden proposals and staff report and establish whether the gardeners could move forward with the garden expansion proposal, rain catchment plan and signage request.

Reed Palmer, a Baldwin Park gardener, stated that he is a certified and licensed engineer in the state of North Carolina. He reviewed the rain catchment system with the Board and explained how it will work. He stated that even though he is an engineer, he is unable to sign off on the work because the firm that he works for prefers that engineers not sign off on projects that are not directly associated with the firm.

Alderman Lavelle asked about the impact that the OWASA easement will have on the rainwater catchment design. Mr. Palmer stated that OWASA has asked that the PVC pipe be sleeved with ductile iron pipe to protect the pipe from any heavy equipment that may go over the line. The depth of the lines will not affect the sewer lines.

Alderman Johnson asked how much space the garden will use of the entire park. Mr. Palmer stated that the garden will be 5.9% of the total space of the park. Anita Jones-McNair, the Town's Recreation and Parks Director, and Matt Efirm, the Town's Interim Town Manager, confirmed the calculation.

Trish McGuire, the Town's Planning Director and Anita Jones-McNair discussed the stream buffers and shed location with the Board.

**MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN COLEMAN TO AUTHORIZE THE BALDWIN PARK GARDEN GROUP TO:**

- 1) RUN THE RAIN WATER CATCHMENT LINES FROM THE SHED TO THE CISTERN
- 2) EXTEND THE GARDEN TO 45 FEET, OR TO THE EDGE OF THE TREE DRIP LINE, WHICHEVER IS LESSER
- 3) PLACE THE SHED AT THE SOUTHWEST CORNER OF THE GARDEN (MUST BE PLACED IN SUCH A MANNER THAT IT IS LOCATED OUTSIDE OF THE STREAM BUFFER)
- 4) INSTALL CISTERN AND RAIN WATER CATCHMENT SYSTEM AS PRESENTED IN THE PROPOSAL

**THE TOWN WILL PAY FOR THE SIGN AND INSTALLATION OF THE SIGN. VOTE: AFFIRMATIVE ALL**

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**CONSIDERATION OF APPLICANTS TO ADVISORY BOARDS**

The Mayor and Board of Aldermen discussed appointments to the Town's advisory boards.

**MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPOINT RICHARD ELLINGTON, CATHERINE DEVINE, AND JOSEPH COLLINS TO THE BOARD OF ADJUSTMENT (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW)  
VOTE: AFFIRMATIVE ALL**

MOTION WAS MADE BY ALDERMAN LAVELLE AND SECONDED BY ALDERMAN COLEMAN TO APPOINT ADAM SCHAEFER, BRAXTON FOUSHEE, JESSICA FERRER, AND RICHARD JAIMEYFIELD TO THE PLANNING BOARD (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW). VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SLADE AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPOINT SARAH ANDREWS AND RAYMOND CONRAD TO THE APPEARANCE COMMISSION (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW). VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SLADE AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPOINT SETH LEJEUNESSE TO THE TRANSPORTATION ADVISORY BOARD (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW). VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPOINT CASSANDRA HAYNE, ERIC ALLMAN, VICTORIA DENAY, AND DORIS MURRELL TO THE RECREATION AND PARKS COMMISSION (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW). VOTE: AFFIRMATIVE FIVE, NOES TWO (COLEMAN, SLADE)

MOTION WAS MADE BY ALDERMAN SLADE AND SECONDED BY ALDERMAN GIST TO APPOINT DANIEL GRAUBMAN, PATRICIA YOUNG, AND MARI GORDAN WEISS TO THE HUMAN SERVICES COMMISSION (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW). VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPOINT SARAH BLACKLIN, ARTHUR BEVEN RAMSEY, AND CHRISTOPHER BUTLER TO THE ECONOMIC SUSTAINABILITY COMMISSION (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW). THE CURRENT SEAT OF JENNIFER MCMILLAN, CURRENT MEMBER OF THE ECONOMIC SUSTAINABILITY COMMISSION, SHALL BE CONVERTED TO A DOWNTOWN RESIDENT SEAT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL AND SECONDED BY ALDERMAN COLEMAN TO APPOINT MATTHEW ARNSBERGER AND GEOFF GISLER TO THE ENVIRONMENTAL ADVISORY BOARD (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW). VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN LAVELLE TO APPOINT CLARA JACKSON AND CHRIS BEACHAM TO THE ARTS COMMITTEE (DETAILS OF APPOINTMENTS SHOWN IN CHART BELOW) AND FOR THE TOWN ATTORNEY TO DRAFT AN ORDINANCE THAT WILL CREATE AN ADDITIONAL SEAT ON THE ARTS COMMITTEE. VOTE: AFFIRMATIVE ALL

Alderman Coleman discussed the process of advisory board recommendations for liaison appointments to the Greenways Commission. He asked if it was necessary to have advisory board liaisons to the Greenways Commission. He recommended that the Board discuss why the Greenways Commission is treated differently than other advisory boards. He also commented on the weakness of the Environmental Advisory Board's vote in the recommendation for their liaison.

Alderman Lavelle stated that she will be in favor of eliminating the liaison seats to the Greenways Commission within the calendar year.

Alderman Slade stated that the recommendation from the Transportation Advisory Board (TAB) only included one person because only one member spoke up to be considered. He wanted to note that there was another member that was interested in being considered and he suggested postponing the appointment of a TAB representative to the Greenways Commission. He also stated that he hopes to see the creation of a Climate Change Commission.

Alderman Johnson raised concern with the EAB's vote in recommending their liaison to the Greenways Commission. She noted that only two members voted for the recommended candidate while three members abstained from voting.

Mike Brough, the Town's Attorney, explained that there is a procedural question related to the abstention of four EAB members during their liaison recommendation vote. He explained that the Town Code is a little unclear on the voting requirements of the Greenways Commission but that the Board can consider it as presented.

Mayor Chilton recommended that the Board discuss the makeup of the Greenways Commission at a future date.

Alderman Haven-O'Donnell stated that the Greenways Commission is designed to be finished once the greenways are complete in Carrboro. She expressed concern with discussion related to the Greenways Commission make-up.

**MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN LAVELLE TO APPOINT LINDA HAAC AS THE TRANSPORTATION ADVISORY BOARD LIAISON TO THE GREENWAYS COMMISSION AND THAT ALL OF THE ADVISORY BOARD LIAISON SEATS TO THE GREENWAYS COMMISSION WILL END IN JANUARY 2013. THE BOARD SHALL SCHEDULE A DISCUSSION ABOUT THE FUTURE OF THE GREENWAYS COMMISSION WITHIN THE CALENDAR YEAR. VOTE: AFFIRMATIVE FIVE, NOES TWO (COLEMAN, SLADE).**

**THE FOLLOWING APPOINTMENTS WERE MADE:**

<b>BOARD</b>	<b>TYPE OF TERM (If applicable)</b>	<b>TERM EXPIRATION</b>	<b>APPOINTEE</b>
Board of Adjustment	In-Town	2/2015	Richard Ellington Catherine DeVine Joseph Collins
Planning Board	In-Town	2/2015	Adam Schaefer Braxton Foushee Jessica Ferrer Richard JaimeyField
Appearance Commission/ NPDC	NA	2/2014	Sarah Andrews Raymond Conrad
Transportation Advisory Board	NA	2/2015	Seth LaJeunesse
Recreation and Parks Commission	In-Town	2/2013	Doris Murrell
	In-Town	2/2014	Victoria DeNay
	In-Town	2/2015	Eric Allman
	In-Town	2/2015	Cassandra Hayne

Human Services Commission	3 seats	2/2015	Daniel Graubman Patricia Young Mari Gordan Weiss
Economic Sustainability Commission	At-Large	2/2015	Sarah Blacklin
	At-Large	2/2015	Christopher Butler
	Business Owner	2/2015	Arthur (Beven) Ramsey
Environmental Advisory Board	NA	2/2015	Matthew Arnsberger Geoff Gisler
Arts Committee	NA	2/2015	Clara Jackson Chris Beacham
Greenways Commission	TAB Rep.	1/2013	Linda Haac

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**CONSIDERATION OF A REQUEST TO UPDATE THE CRITERIA FOR THE BUSINESS REVOLVING LOAN FUND AND APPLICATION**

The purpose of this agenda item was for the Board of Aldermen to consider revised criteria for the Town’s Business Revolving Loan Fund and to update the application form based on the proposed criteria.

Annette Stone, the Town’s Community and Economic Development Director discussed the proposed loan criteria with the Board.

Kristen Smith, representing the Chamber of Commerce, asked the Board to adopt the recommended changes with one minor modification: in Attachment B-1 they would like to consider modifying the bullet reading “emergency capital needs” to read “emergency capital and operating needs.”

Alderman Lavelle asked the Board to include a requirement for businesses to have a non-discrimination clause for LGBT employees in their company policy. Matt Efird, Interim Town Manager, noted that the Town can use the language in the current contract policy to include in the Business Revolving Loan application.

Alderman Slade suggested adding language to encourage locally owned businesses.

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O’DONNELL TO REFER THE SUGGESTION FROM THE CHAMBER OF COMMERCE BACK TO THE ECONOMIC SUSTAINABILITY COMMISSION AND FOR STAFF TO INCLUDE LANGUAGE CONCERNING “LOCALLY OWNED BUSINESSES” AND THE REQUIREMENT THAT APPLICANTS INCLUDE A NON-DISCRIMINATION CLAUSE FOR LGBT EMPLOYEES IN THEIR COMPANY POLICIES. VOTE: AFFIRMATIVE ALL

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**REQUEST TO MODIFY THE TERMS OF THE REVOLVING BUSINESS LOAN BY THE OWNERS OF SECOND WIND JUICE BAR**

The purpose of this agenda item was for the Board of Aldermen to consider a request to modify the loan terms on the Business Loan to Second Wind Juice Bar. The request was submitted by owners Jerry Glass and Sherry Pate.

Annette Stone, the Town's Community and Economic Development Director, presented the request to the Board.

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE ESC'S RECOMMENDATION THAT THE LOAN TERMS BE MODIFIED TO ALLOW INTEREST ONLY PAYMENTS FOR A PERIOD OF FOUR MONTHS, WITH THE FIRST FULL (INTEREST AND PRINCIPAL) PAYMENT BEING AUGUST 1, 2012. AFFIRMATIVE ALL

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### **PRESENTATION OF THE FINAL REPORT FOR THE NORTHERN STUDY AREA DESIGN WORKSHOP**

With the assistance of the Durham Area Designers (DAD), the Town hosted a design workshop on February 26, 2011 at Morris Grove Elementary School to explore diversifying land use in the Northern Study Area pursuant to rezoning recommendations from the *Northern Study Area Plan Implementation Review Committee*. DAD had since completed the report detailing the findings from this workshop and present this to the Board. Staff recommended that the Board adopt the resolution accepting the report.

Jeff Kleaveland, the Town's Planning and Zoning Development Specialist, introduced the Durham Area Designers and briefed the Board on the report workshop.

Steve Garis, a representative of the Durham Area Designers, presented the report process and report to the Board.

Josof Woodman, a resident of 7305 Old NC 86, stated that he attended the DAD workshop. He stated that it is hard for him to imagine the need for additional destination retail space. He encouraged neighborhood retail, a childcare center, or a senior center.

John Gantt, a resident of 1004 Karen Woods Rd., stated that he attended the DAD workshop. He requested additional discussion and opinions from stakeholders.

Omar Zinn, owner of the parcel on which the workshop was based, addressed the Board. He stated that NCDOT has presented them with a proposed alignment change for Eubanks Road. He is interested on getting feedback from the Board regarding the realignment. He also asked for feedback from the Board regarding the proposed workshop designs because he is interested in pursuing a rezoning of the property.

Trish McGuire, the Town's Planning Director, stated that the Planning Department will be able to review the proposed Eubanks Road realignment and report back to the Board before the summer. She stated that the Planning staff can provide a report on this before the next fiscal year.

Mayor Chilton suggested that staff explore with DOT the possibility of a round-a-bout at Eubanks and Old 86 in the future.

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O'DONNELL FOR STAFF TO REPORT BACK ON THE REALIGNMENT OF EUBANKS ROAD AND OLD 86 WITH THE POSSIBILITY OF A ROUND-A-BOUT AT THE INTERSECTION. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Coleman and seconded by Alderman Lavelle:

A RESOLUTION ACCEPTING A STATUS UPDATE ON THE NORTHERN STUDY AREA (NSA)  
DESIGN WORKSHOP  
Resolution No. 86/2011-12

WHEREAS, the Board of Aldermen, in the interest of exploring future land-use policies in the Northern Study Area and encouraging citizen participation, contracted with the Durham Area Designers to facilitate a design workshop for NSA residents to explore future development possibilities for the area; and

WHEREAS, The NSA Design Workshop and follow-up meeting have occurred and a final report for the Board has been prepared by the Durham Area Designers

WHEREAS, the Carrboro Board of Aldermen thank the Durham Area Designers for their work on the report.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen hereby accept the NSA Design Workshop report from the Durham Area Designers.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21<sup>st</sup> day of February 2012:

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

Noes: None

Absent or Excused: None

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**CONTINUATION OF A PUBLIC HEARING ON LAND USE ORDINANCE TEXT AMENDMENT FOR JORDAN LAKE RULES**

The Environmental Management Commission made technical changes to the Rule for Jordan Lake on July 14<sup>th</sup>. The Town has been notified of these changes and the need to submit a revised buffer ordinance by March 1, 2012. The Board of Aldermen continued a public hearing from January 24, 2012 in order to allow time for review by the Environmental Advisory Board.

The following resolution was introduced by Alderman Coleman and seconded by Alderman 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. 74/2011-12

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 REFLECT TECHNICAL CORRECTIONS MADE TO THE JORDAN RULES BY THE EMC ON JULY 14, 2011

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 revisions to the Jordan Lake rule as approved by the Environmental Management Commission.

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 controlling legislation and rules.

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 21<sup>st</sup> day of February 2012:

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

Noes: None

Absent or Excused: None

The following ordinance was introduced by Alderman Coleman and seconded by Alderman Lavelle:

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REFLECT TECHNICAL CORRECTIONS MADE TO THE JORDAN RULES BY THE EMC ON JULY 14, 2011  
Ordinance No. 21/2011-12

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-269.5 (d), Table of Exempt and Allowable Activities of the Carrboro Land Use Ordinance is amended by the addition of the following information to the table, between the entries related to Ponds and Scientific Studies and Stream Gauging under the heading "Drainage, Stormwater, Erosion Control, and other Water-Based Activity:

Activity	Exempt	Allowable	Allowable with mitigation
<i>Drainage of a pond in a natural drainage way provided that a new riparian buffer that meets the requirements of this section is established adjacent to the new channel. [Ponds that are not in a natural drainage way are not subject to the buffer requirements of this part.]</i>	X		

Section 2. Subsection 15-269.5(f) is hereby repealed.

Section 3. Section 15-261 is amended by the addition of a new subsection (c) that reads as follows:

Drainage or filling in of existing ponds, under circumstances where the requirements of Section 15-263 are not applicable, shall only be allowed if the stormwater management benefits of the pond are otherwise provided for through installation of other stormwater management devices or practices deemed suitable by the Administrator.

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective when it is adopted by the Carrboro Board of Aldermen and approved by the Environmental Management Commission as provided in 15A NCAC 2B.0265.

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this 21<sup>st</sup> day of February 2012:

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

Noes: None

Absent or Excused: None

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### **BOARD OF ALDERMEN LIBRARY SUBCOMMITTEE STATUS UPDATE AND REPORT**

The purpose of this item was for the Board to receive an update from the Board's Library Subcommittee and to discuss the library siting criteria.

Alderman Gist stated that the subcommittee has not had a chance to meet and are planning to meet over the weekend.

Krista Bremer, a member of the Friends of the Carrboro Library, encouraged the Board of Aldermen to move the process forward as quickly as possible.

Alyia Bremer stated that she likes the idea of a free standing library in downtown Carrboro.

Alex Broun, a member of the Friends of the Carrboro Library, asked the Board to accept the County's proposal as submitted.

Joal Hall Broun, a member of the Board of the Friends of the Carrboro Library, voiced support of Alex Brown's comments. She asked the Board to not delay the process and to consider the resources that the County has available.

Nerys Levy, a member of the Friends of the Carrboro Library, made comments supporting the County's site selection proposal as submitted and asked the Board to approve it as quickly as possible.

Melva Okun, a member of the Friends of the Carrboro Library, stated that the library is a county library and will be paid for by the county. She asked the Board to approve the County's site selection proposal as quickly as possible.

Alderman Slade suggested making the changes to the siting criteria as soon as possible.

Alderman Lavelle suggested moving the process along steadily while providing feedback to the County. She also suggested a process, or a “call for properties,” that will allow the county to consider properties for the library.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN JOHNSON FOR THE SUBCOMMITTEE TO MEET AND BRING THE REVISED LIBRARY SITING STANDARDS BACK DURING THE MARCH 6, 2012 MEETING. VOTE: AFFIRMATIVE ALL

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**YARN BOMBING**

Alderman Slade stated that the yarn bombing project looks great.

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MOTION WAS MADE BY ALDERMAN HAVEN-O’DONNELL AND SECONDED BY ALDERMAN JOHNSON TO ADJOURN THE MEETING AT 11:00 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk