

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 15, 2012 in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Dan Coleman
	Jacquelyn Gist
	Lydia Lavelle
	Randee Haven-O'Donnell
	Michelle Johnson
	Sammy Slade
Town Manager	David Andrews
Town Clerk	Catherine C. Wilson
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF MAY 1 AND 7, 2012. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT TO COMPLY WITH THE LOCAL STORMWATER PROGRAM REQUIRED UNDER JORDAN NEW DEVELOPMENT STORMWATER RULE, 15A NCAC 2B. 0265

The Jordan New Development Stormwater Rule, 15A NCAC 2B. 0265, sets out standards that Carrboro is required to incorporate into its local stormwater program. The purpose of this item was to set a public hearing to consider the draft ordinance to comply with this requirement.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE AS REQUIRED BY JORDAN LAKE NEW DEVELOPMENT STORMWATER RULE

Resolution No. 157/2011-12

WHEREAS, the North Carolina General Assembly, Environmental Management Commission and Division of Water Quality have adopted and are implementing rules to limit nitrogen and phosphorus inputs to Jordan Lake, and

WHEREAS, these Rules adopted for Jordan Lake require local governments to develop and enforce local ordinances to limit phosphorus and nitrogen from new development, and

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

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on June 26, 2012 to consider adopting "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO BRING THE ORDINANCE INTO COMPLIANCE WITH THE JORDAN RULES RELATING TO NEW DEVELOPMENT";

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review 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:

- | | |
|--|--|
| <input type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input checked="" type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 2012:

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

Noes: None

Absent or Excused: None

CONSIDERATION OF APPOINTMENTS TO ADVISORY BOARDS

The purpose of this item was to allow the Mayor and Board of Aldermen the opportunity to consider appointments to the Appearance Commission, Greenways Commission, Recreation and Parks Commission, Transportation Advisory Board, and the Northern Transition Area Advisory Committee.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE
APPEARANCE COMMISSION
Resolution No. 150/2011-12

WHEREAS, there are currently three vacant in-town seats on the Appearance Commission;
and

WHEREAS, these positions have been advertised and the application has been forwarded to the Appearance Commission chair for summary; and

WHEREAS, the Chair of the Appearance Commission has prepared a Summary of the Application.

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

Section 1. The Board of Aldermen hereby appoints Eric Feld to the Appearance Commission.

Section 2. The term of the appointment shall expire in February of 2015.

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 15th day of May 2012:

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

Noes: None

Absent or Excused: None

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

A RESOLUTION MAKING A TEMPORARY APPOINTMENT TO THE GREENWAYS COMMISSION

Resolution No. 149/2011-12

WHEREAS, The Board of Aldermen wishes to appoint advisory board representatives to the Greenways Commission.

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

Section 1. The following person is appointed to the Greenways Commission as a representative of their respective advisory board:

Rob Crook	Environmental Advisory Board
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Section 2. The term shall expire January 1, 2013.

Section 3. This resolution shall become effective immediately upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 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 resolution was introduced by Alderman Coleman and seconded by Alderman Haven-O'Donnell:

A RESOLUTION MAKING AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION

Resolution No. 121 /2011-12

WHEREAS, Eric Allman is a valued member of the Recreation and Parks Commission; and

WHEREAS, He was appointed to an in-town seat in 2005; and

WHEREAS, He is moving to an address located in the Town of Chapel Hill; and

WHEREAS, The Recreation and Parks Commission has an open, out-of-town seat;

WHEREAS, He wishes to remain an active member on the Recreation and Parks Commission.

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

Section 1. Eric Allman is hereby appointed to an out-of-town seat on the Recreation and Parks Commission.

Section 2. This term shall expire in February of 2013.

Section 3. This resolution shall become effective immediately upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 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 resolution was introduced by Alderman Coleman and seconded by Alderman Haven-O'Donnell:

A RESOLUTION MAKING AN APPOINTMENT TO THE
TRANSPORTATION ADVISORY BOARD
Resolution No. 151/2011-12

WHEREAS, there are currently two vacant, in-town seats on the Transportation Advisory Board; and

WHEREAS, these positions have been advertised and the application has been forwarded to the Transportation Advisory Board chair for summary; and

WHEREAS, the Chair of the Transportation Advisory Board has prepared a Summary of the Application.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVE THAT:

Section 1. John Nicopoulos is appointed to the Transportation Advisory Board:

Section 2. The term of the appointment shall expire February 2013.

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 15th day of May 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 resolution was introduced by Alderman Coleman and seconded by Alderman Haven-O'Donnell:

A RESOLUTION RECOMMENDING THAT THE ORANGE COUNTY BOARD OF
COMMISSIONERS MAKE AN APPOINTMENT TO THE NORTHERN TRANSITION
AREA ADVISORY COMMITTEE
Resolution No. 132/2011-12

WHEREAS, There is an Orange County representative seat vacancy on the NTAAC; and,

WHEREAS, Section 15-27 (a) of the Town Code reads, "There shall be a Northern Transition Area Advisory Committee consisting of five members, three appointed by the Orange County Board of Commissioners and two by the Board of Aldermen. If the Board of Commissioners fails to make these appointments within ninety days after receiving a resolution from the Board of Aldermen requesting that they be made, the Board of Aldermen may make them. All members shall be residents of the Northern Transition Area;" and,

WHEREAS, Staff has verified that Noah Moore meets the residency requirements; and,

THEREFORE BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1:Noah Moore's application is hereby forwarded to the Board of Orange County Commissioners and recommended for appointment to the Town of Carrboro's Northern Transition Area Advisory Committee; and,

Section 2: The appointment shall be made to an unexpired term; and,

Section 3: Pursuant to Section 15-27(b) of the Carrboro Town Code, the appointee shall be eligible for two additional three-year appointments; and,

Section 4: The Town Clerk shall forward a copy of this resolution to the Orange County Board of Commissioners; and,

Section 5: This resolution is effective immediately upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 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 resolution was introduced by Alderman Coleman and seconded by Alderman Haven-O'Donnell:

A RESOLUTION MAKING AN APPOINTMENT TO THE NORTHERN TRANSITION
AREA ADVISORY COMMITTEE
Resolution No. 133/2011-12

WHEREAS, the Town of Carrboro has two representatives on the Northern Transition Area Advisory Committee; and

WHEREAS, one of these seats is currently vacant; and

WHEREAS, the Town Clerk has received applications to serve on the NTAAC.

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

Section 1. The Board of Aldermen hereby appoints Jeanette Moore to the Northern Transition Area Advisory Committee. The term will expire in January 2015.

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 15th day of May 2012:

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT – RELATING TO PAYMENTS-IN-LIEU FOR AFFORDABLE HOUSING UNITS

The purpose of this item was to allow the Board to consider setting a public hearing on revisions to the payment-in-lieu for affordable housing units.

The following resolution was introduced by Alderman Coleman 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 RELATED TO PAYMENTS-IN-LIEU OF AFFORDABLE HOUSING
Resolution No. 155/2011-12

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 June 26, 2012 to consider adopting “AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE WITH RESPECT TO AFFORDABLE HOUSING PAYMENTS-IN-LIEU.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County and to the Town of Carrboro Planning Board for its recommendations.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 2012:

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT ADDING A STORMWATER VOLUME CONTROL REQUIREMENTS

The purpose of this item was to initiate public consideration of a new stormwater volume requirement in the Land Use Ordinance.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE STORMWATER VOLUME CONTROL

Resolution No. 154/2011-2012

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

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on June 26, 2012 to consider adopting "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE STORMWATER VOLUME CONTROL";

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review 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 for consideration and recommendation prior to the specified public hearing date:

- | | |
|--|--|
| <input type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input checked="" type="checkbox"/> Environmental Advisory Board | <input checked="" type="checkbox"/> <u>Builders, developers, and engineers that have participated in a land use permit process within the past two years</u> |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input checked="" type="checkbox"/> <u>Friends of Bolin Creek and the Morgan Creek Valley Alliance</u> |

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 2012:

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

Noes: None

Absent or Excused: None

MONUMENT APPLICATION FROM AN INDIVIDUAL

The purpose of this agenda item was for the Board of Alderman to consider an application for a monument located on Town property.

The applicant requested that this item be continued to a later date.

A RESOLUTION TO APPROVE THE USE OF TOWN COMMONS FOR A FREE CONCERT

The purpose of this agenda item was for the Board to approve the use of Town Commons for a concert that will be free to the public and jointly co-sponsored by Cat's Cradle and the Town of Carrboro.

Alderman Coleman suggested that the Town Commons be used for more events.

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

A RESOLUTION TO APPROVE THE USE OF TOWN COMMONS FOR USE OF A FREE CONCERT FOR THE PUBLIC CO-SPONSORED BY CAT'S CRADLE AND THE TOWN OF CARRBORO

Resolution No. 158/2011-12

WHEREAS, the Board of Aldermen support the Arts and Entertainment industry in our community and;

WHEREAS, Frank Heath of Cat's Cradle has proposed a concert that will be free for the public located in the Town Commons for September 21, 2012 and;

WHEREAS, the support for the Arts and Entertainment industry are consistent with the Board's strategic goals for growing a local economy and creating a vibrant community.

NOW THEREFORE BE IT RESOLVED, that the Carrboro Board of Aldermen approve of the use of Town Commons for this concert and direct staff to work with the organizers for the event to enter into a service agreement.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 2012:

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

Noes: None

Absent or Excused: None

TREE CITY USA AWARD

The Town of Carrboro was named a Tree City USA for 2011 by The National Arbor Day foundation to honor its commitment to its community forest. It is the 27th year Carrboro has received this national recognition. Student winners of the poster contest attended the meeting and were recognized by the Town. Posters were also on display.

George Seiz, the Town's Public Works Director, made the presentation and introduced the poster contest winners.

THE PARTNERSHIP TO END HOMELESSNESS 2011 ANNUAL REPORT

The Orange County Partnership to End Homelessness (OCPEH) is a collaboration among service providers, local governments, faith-based and other community groups, local businesses, the UNC-CH community and volunteers to end and prevent homelessness in Orange County. The Partnership works together to increase access to Housing, Employment, and Services among the Homeless.

Jamie Rohe, OCPEH Coordinator, provided the annual report on the progress of the OCPEH.

PUBLIC HEARING ON THE MANAGER'S RECOMMENDED FY 2012-13 BUDGET

Prior to adopting the annual budget ordinance, the Board of Aldermen is required by G.S. 159-12 (b) to hold a public hearing on the Town Manager's recommended budget for the upcoming fiscal year. Any person who wishes to be heard on the budget may appear.

Following the budget hearing, the Board was requested to provide direction to the Town Manager for the final budget to be adopted on June 19, 2012.

Molly DeMarco, representing Justice United, supported the funding for a position to work with day laborers.

Chris Brooks, representing Justice United, expressed support for the funding of a position to work with day laborers. He also stated that wage theft and increased worker training remain issues.

Robert Dowling, the Executive Director of Community Home Trust, thanked the Town for their support and requested that it be continued in this fiscal year budget.

A RESOLUTION MAKING AN APPOINTMENT TO THE ORANGE COUNTY ANIMAL SERVICES ADVISORY BOARD

The Mayor and Board of Aldermen were requested to consider applications to the Orange County Animal Services Advisory Board.

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

**A RESOLUTION MAKING AN APPOINTMENT TO THE
ORANGE COUNTY ANIMAL SERVICES ADVISORY BOARD
Resolution No. 130/2011-12**

WHEREAS, the Orange County Animal Services Advisory Board has a vacancy for the Carrboro representative seat; and

WHEREAS, the vacancy was advertised and Mr. Matthew Prentice and Ms. Liska Lackey have submitted applications; and

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

Section 1. Liska Lackey is hereby selected for appointment as Carrboro's representative on the Orange County Animal Services Advisory Board.

Section 2. This resolution shall become effective upon adoption.

Section 3. This resolution shall be forwarded to the Clerk to the Board of Orange County Board of Commissioners.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 2012:

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT – CHANGES TO SIGNAGE REQUIREMENTS

The purpose of this agenda item was for the Board of Aldermen to consider three options for text amendments for the Land Use Ordinance relating to signage, to direct staff toward one of the options, and to set a public hearing on the amendments.

Christina Moon, the Town's Planning Administrator, made the presentation to the Board.

Laura Van Sant, the developer for 300 East Main Street, made a presentation to the Board. She asked that the Board consider their request for signage in a timely manner.

Woody Farmer, representing Tar Heel Lodging, asked the Board to consider several sign options. He stated that proper signage is a public safety matter.

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

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO THE ALLOCATION OF SIGNAGE

Resolution No. 156/2011-12

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen direct staff to prepare text amendments in accordance with "option 4" as described in the staff presentation as, "Establish a new subsection to allow developers to apply for a modification to a CUP for the approval of a master sign plan (this would require a public hearing)" and set the public hearing for June 26th .

BE IT FURTHER RESOLVED that the draft ordinances are referred to Orange County and the Town of Carrboro Planning Board for review and recommendations.

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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input checked="" type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of May 2012:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 8:50 P.M.
VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk