

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 18, 1990 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Randy Marshall
	Tom Gurganus
	Hilliard Caldwell
	Frances Shetley
	Jacquelyn Gist
	Jay Bryan
Town Manager	Robert Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE MINUTES OF SEPTEMBER 11, 1990 BE APPROVED. VOTE: AFFIRMATIVE ALL

INTRODUCTION OF UNC STUDENT LIAISON

Joey Gramm, the UNC student liaison, introduced himself to the Board.

REQUEST FOR LAND USE ORDINANCE TEXT AMENDMENT/BANKS WITH DRIVE-IN WINDOWS IN B-1(C) ZONING DISTRICT

Wallace Clontz, representing United Carolina Bank, requested the Board consider amending the land use ordinance to allow banks with drive-in windows in the B-1(c) zoning district.

It was the consensus of the Board to request that the town staff prepare an amendment which would allow banks with drive-in windows in the B-1(c) zoning district, and that the Planning Board, Appearance Commission and Transportation Advisory Board review the proposed amendment.

PUBLIC HEARING SET/TEMPORARY STREET CLOSING/CARRBORO BAPTIST CHURCH

Carrboro Baptist Church has requested the temporary closing of N. Greensboro Street from the Main Street intersection to the Weaver Street intersection from 8:00 a.m. to 3:30 p.m. on Sunday, October 14, 1990 to accommodate their Homecoming activities.

The administration recommended that a public hearing be scheduled for October 2, 1990 to consider this street closing request.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT A PUBLIC HEARING BE SET FOR OCTOBER 2, 1990. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING SET/COMMUNITY CENTER

The Board of Aldermen received a recommendation from the Recreation and Parks Commission regarding the proposed down-scaled version of a community center at its meeting on August 28, 1990. The administration requested that a public hearing be scheduled for October 2, 1990 to receive further information from the public regarding this item in general and in consideration of the down-scaled proposal recommended to the Board.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE SET FOR OCTOBER 2, 1990 AND THAT ADVERTISEMENT INCLUDE PLACING NOTICES ON ROLL-OUT GARBAGE CARTS AND POSTING COMMUNITY SITES, INCLUDING WEAVER STREET MARKET, THE FARMERS' MARKET AND SOME TELEPHONE POLES. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING SET/NO PARKING ON A PORTION OF PLEASANT DRIVE

At its meeting on August 28, 1990, the Board of Aldermen requested that a public hearing be scheduled to consider adoption of an ordinance prohibiting

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parking on the north side of Pleasant Drive from its intersection with Crest Street to the end of pavement. The administration requested that a public hearing be scheduled for September 25, 1990.

Alex Zaffron, Chair of the Transportation Advisory Board, stated that the TAB recommended adoption of the proposed ordinance to prohibit parking on a portion of Pleasant Drive.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT A PUBLIC HEARING BE SET FOR SEPTEMBER 25, 1990. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/RESOLUTION ESTABLISHING A PERCENTAGE GOAL FOR PARTICIPATION BY MINORITY BUSINESSES IN AWARDING OF BUILDING CONSTRUCTION CONTRACTS

This was a public hearing to receive public comments on the verifiable percentage goal for participation by minority businesses in the awarding of building construction contracts awarded pursuant to G.S. 143-128.

The administration recommended adoption of a resolution establishing a verifiable percentage goal of 10% for participation by minority businesses in the awarding of building construction contracts awarded pursuant to G.S. 143-138.

Mike Brough explained that the town was recommending a 10% participation goal which is the goal other municipalities in this area have.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Jay Bryan.

A RESOLUTION ESTABLISHING A VERIFIABLE PERCENTAGE GOAL
FOR PARTICIPATION BY MINORITY BUSINESSES IN THE
AWARDING OF BUILDING CONSTRUCTION CONTRACTS
AWARDED PURSUANT TO N.C.G.S. 143-138
Resolution No. 10/90-91

WHEREAS, the North Carolina General Assembly enacted Chapter 480 and Section 74.17 of Chapter 770 of the 1989 Session Laws, thereby rewriting N.C. General Statute 143-138; and

WHEREAS, N.C.G.S. 143-128(c) requires each city, county or other public body to adopt, after notice and a public hearing, an appropriate verifiable percentage goal for participation by minority businesses (as defined in that statute) in the total value of work for building contracts the costs of which exceed (\$100,000) and which are awarded pursuant to N.C.G.S. 143-128; and

WHEREAS, N.C.G.S. 143-128(c)(3) requires an authority awarding a building contract the cost of which exceeds \$100,000 under a separate prime or separate specification contract system to adopt written guidelines specifying actions that will be taken by the awarding authority to ensure a good faith effort in the recruitment and selection of minority businesses for building contracts awarded under the separate prime or separate specification contract system; and

WHEREAS, N.C.G.S. 143-128(c)(4) requires an authority awarding a building contract the cost of which exceeds \$100,000 under a single-prime contract system to adopt written guidelines specifying the action that the prime contractor must take to ensure a good faith effort in the recruitment and selection of minority businesses for building contracts awarded under the single prime contract system; and requires that action taken by the prime contractor must be documented in writing by the contractor to the appropriate awarding authority; and

WHEREAS, N.C.G.S. 143-128(b) requires that a public body choosing to use a single-prime contract system must also seek bids for a building contract the cost of which exceeds \$100,000 under a separate prime or separate specification contract system and must award such building contract to the lowest responsible bidder(s) for the total project; and

WHEREAS, N.C.G.S. 143-128(d) requires the state and its political subdivisions to award public building contracts the costs of which exceeds \$100,000 without regard to race, religion, color, creed, national origin, sex, age or handicapping condition; and

WHEREAS, notice of the public hearing was duly published in The Chapel Hill Newspaper on September 7 and 14, 1990, and the public hearing required by N.C.G.S. 143-128(c) was held on September 18, 1990;

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

Section 1. The Town of Carrboro shall have a verifiable goal of 15% for participation by minority business in building construction contracts awarded pursuant to N.C.G.S. 143-128.

Section 2. The Purchasing officer will be responsible for advertising such contracts and shall compile a list of minority businesses within the bidding area, using information obtained from the N.C. Department of Economic and Community Development, Minority Business Development Agency, Association of Minority Businesses, Orange County, or from other institutions or agencies providing such information. This list shall be updated on a semi-annual basis and shall be open for inspection and shall be available so that minority businesses will have the opportunity to add their names to the list. Copies of this resolution shall be transmitted to the businesses on the list as soon as practicable along with the name of the purchasing officer, who shall serve as the contract person for minority businesses and be responsible for answering project related questions posed by minority businesses.

Section 3. For each such building contract put out for bids under the separate specification or the single prime contract systems, notice of the construct shall be transmitted to minority businesses on the above-mentioned list.

Section 4. For each such building contract put out for bids under the separate specification or single prime contract systems, documents related to the contract shall be available for inspection at a convenient and accessible location of which minority businesses shall receive notice.

Section 5. For each such building contract put out for bids under the separate specification or single prime contract systems, the purchasing officer shall hold a pre-bid conference to orient contractors and subcontractors to the policy expressed in this resolution as well as bid procedures and regulations. Minority businesses on the list obtained and maintained as provided herein shall be notified of and invited to these pre-bid conferences.

Section 6. For each such building contract put out for bids under the separate specification or single prime contract system, published notice of the contract shall include a summary of this resolution.

Section 7. For any such building contract put out for bids under the separate specification contract system, the purchasing officer shall maintain records with respect to:

- (a) Those contractors or subcontractors notified of the project and the number of these contractors and subcontractors that are minority businesses as defined in N.C.G.S. 143-128 appearing on the list of minority businesses maintained pursuant to paragraph 2 herein;
- (b) Those contractors or subcontractors that bid or otherwise respond to notice of the project and the number of these that are on the maintained list of minority businesses;
- (c) Those contractors or subcontractors awarded contracts as part of the project and the number and identity of those that are on the list of minority businesses; and
- (d) The percentage of work on the project that is to be performed by minority businesses appearing on the list maintained pursuant to this resolution.

Section 8. For any such building contract put out for bids under the single prim contract system, the single prime contractor shall:

- (a) Notify those minority businesses appearing on the list of minority business, maintained by the purchasing officer, of the portion of the project which will be subcontracted by the single contractor and solicit bids from those minority businesses;
- (b) Submit with his/her bid records with respect to:
 - (1) Those subcontractors notified of the project and of those

elements of the project for which subcontracts will be ~~199~~ and the number of these subcontractors that are minority businesses as defined in G.S. 143-128 appearing on the list of minority businesses maintained by the purchasing agent;

- (2) Those subcontractors that bid or otherwise respond to notice of the project and the number of these that are on the maintained list of minority businesses; and
- (3) Those subcontractors awarded contracts as part of the project and the number and identity of those that are on the maintained list of minority business; and
- (4) The percentage of work on the project that is to be performed by minority businesses appearing on the list maintained pursuant to this resolution.

Section 9. These policies shall be a part of the request for proposals for any such contract, and noncompliance by any single prime bidder shall be grounds for declaring the bid non-responsive.

Section 10. 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 18th day of September, 1990:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

RETAINING WALLS ALONG N.C. 54

Sarah Burdick, the town's Transportation Planner, stated that as a part of the NC 54 highway widening project, retaining walls will be constructed along NC 54 at the Wildwood Springs development and at Old Well and continuing down the exit ramp to Jones Ferry Road. Ms. Burdick stated that the town staff recommended that a pile wall with creosote treated timber, exposed iron beams, and dark colored concrete cap be built at Wildwood Springs, and that a concrete wall with an irregular slump block finish in a light tan color be installed at the Old Well location.

Gary Taylor, with the N.C. Department of Transportation, stated that N.C.DOT recommended that a timber wall be built at Wildwood Springs and that a concrete wall be built at Jones Ferry Road. Mr. Taylor answered the Board's questions concerning the walls.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT N.C. DOT BE REQUESTED TO INSTALL A CONCRETE WALL WITH AN IRREGULAR SLUMP BLOCK FINISH IN A LIGHT TAN COLOR WITH A TINTED CONCRETE TOP CAP TO MATCH AT THE OLD WELL LOCATION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT N.C. DOT BE REQUESTED TO INSTALL A SOLDIER PILE WALL WITH CONCRETE PANELS AT THE WILDWOOD SPRINGS LOCATION. VOTE: AFFIRMATIVE THREE, NEGATIVE FOUR (KINNAIRD, SHETLEY, GIST, BRYAN)

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MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT N.C. DOT BE REQUESTED TO CONSIDER THE FEASIBILITY OF INCLUDING STEPS IN THE WALL AT THE OLD WELL LOCATION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT N.C. DOT BE REQUESTED TO INSTALL A SOLDIER PILE WALL WITH CONCRETE PANELS WITH A SLUMP BLOCK FINISH IN A LIGHT TAN COLOR AND THAT THE CONCRETE TOP CAP BE TINTED WITH A LIGHT COLOR AT THE WILDWOOD SPRING LOCATION. VOTE: AFFIRMATIVE ALL

Sarah Burdick stated that N.C. DOT would like to use a tire retaining wall at three locations along the Carrboro section of the Highway 54 widening project, but that the town staff had requested that DOT not use the tires.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE TOWN SUPPORT USING THE TIRE RETAINING WALL AT THE LOCATION BETWEEN FOOD LION AND HARRIS DISTRIBUTING WITH A RE-EVALUATION AT THE END OF 18 MONTHS AND THAT THE TIRES BE REMOVED IF REQUESTED BY THE TOWN, AND THAT, TO THE EXTENT POSSIBLE, THE TIRES BE TAKEN FROM THE ORANGE COUNTY AREA. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (KINNAIRD, SHETLEY, BRYAN)

LANDSCAPE PLANS FOR N.C. 54

Sarah Burdick, the town's Transportation Planner, stated that a landscape plan is part of the design for the NC 54 highway widening project. NCDOT is planning to follow the same landscape plan in Carrboro that was used for the Chapel Hill section of the project. NCDOT has also indicated that no landscaping other than grass and low shrubs is allowed in any median less than 24 feet.

Wayne King, of the town's Zoning Development Specialists, stated that the Appearance Commission had reviewed the landscape plan at the its meeting held on September 17, 1990.

Elizabeth Fisher, with N.C. DOT, explained the proposed landscape plan.

Chris Gerry, the town's Landscaping/Grounds Supervisor, stated that the yellow buckeye being recommended by DOT is native to this area.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE TOWN STAFF REQUEST FUNDS FOR ADDITIONAL LANDSCAPING ALONG NC 54 THROUGH THE STATE'S VANITY LICENSE PLATE FUND. VOTE: AFFIRMATIVE ALL

REVIEW OF ECONOMIC DEVELOPMENT STRATEGY AND POLICIES

James Harris, the town's Community/Economic Development Officer, reviewed the economic development policies set forth in the 2000 Task Force Policies. Mr. Harris stated that to implement the policies of the 2000 Task Force, a plan of implementation should be developed, which he is in the process of completing.

Mr. Harris stated that since adoption of the 2000 Task Force Policies, two particular issues have come up. First, the town rezoned a tract of land from PID to residential, which was the only suitable site for industrial development. Second, the Downtown Development Commission has been approached by automobile repairmen about expanding their businesses in the downtown. The 2000 Task Force Report specifically called for removing auto uses from the downtown. The Downtown Development Commission will make a recommendation on auto uses following its study of this matter.

(No action was taken by the Board on this matter.)

BUDGET AMENDMENT

The administration requested adoption of an ordinance amending the budget ordinance which accomplish the following:

- a. re-appropriates \$31,578 to cover outstanding purchase orders for goods and services not yet received on June 30, 1990;
- b. transfers funds from nondepartmental accounts to cover the 4% across-the-board salary increases as well as the new plan adjustment approved by the Board; and
- c. transfers funds from contingency to cover the \$3,750 appropriation to the ArtsCenter previously authorized by the Board.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FY'90-91 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

REVIEW OF STEPS TO RECEIVE GFOA AWARD

Larry Gibson, Assistant Town Manager/Finance Director, reviewed the process

for applying for the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting Program and stated that the town staff recommended that the town not pursue this award at the current time because of insufficient staff resources.

(The Board took no action on this matter.)

REPORT ON LITERACY PROGRAM

Larry Gibson, Assistant Town Manager/Finance Director, presented a status report on the town's literacy (basic skills enrichment) program. Mr. Gibson stated that five town employees participated in the assessment survey and classes should begin within two weeks. Mr. Gibson stated that updates on the program will be given to the Board.

(No action was taken by the Board on this matter.)

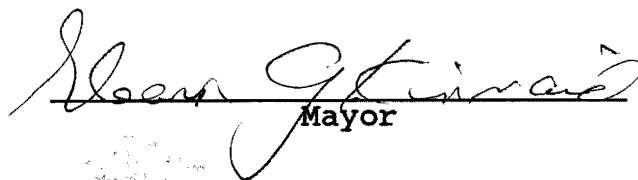
ADVISORY BOARD RECOGNITION DINNER

It was the consensus of the Board that the advisory board recognition dinner be scheduled for Wednesday, November 7th at 6:30 p.m. in the Fire Department.

TOWN MANAGER EVALUATION PROCESS

It was the consensus of the Board that Mayor Kinnaird, Hilliard Caldwell and Jacquelyn Gist serve on a committee to review the Town Manager evaluation process.

There being no further business, the meeting was adjourned.



 Mayor

 Town Clerk