

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 15, 1999 at 7:30 p.m. in the Town Hall Board Room.

**PRESENT AND PRESIDING:**

**MAYOR  
ALDERMEN**

**Michael Nelson  
Joal Hall Broun  
Hilliard Caldwell  
Jacquelyn Gist  
Diana McDuffee  
Allen Spalt  
Alex Zaffron  
Robert W. Morgan  
James E. Spivey  
William Morgan (for Michael Brough)**

**TOWN MANAGER  
DEPUTY TOWN CLERK  
TOWN ATTORNEY**

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE JUNE 8, 1999 MINUTES WITH THE FOLLOWING CHANGE:

1. On Page #7, the third paragraph should read: "It was the consensus of the Board that the Agenda Planning Committee schedule a Board discussion of a possible memorandum of understanding to amend the OWASA sale agreement relating to the rate structure for the purpose of waiving OWASA fees for affordable housing."

VOTE: AFFIRMATIVE ALL.

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**ACCEPTANCE OF AN UNOPENED PORTION OF HILLVIEW STREET RIGHT-OF-WAY AND REQUEST TO SET A PUBLIC HEARING**

The purpose of this agenda item was for the Mayor and Board of Aldermen to adopt a resolution declaring the intent of the Board of Aldermen to permanently close a 16,305 square-foot unopened public right-of-way on Hillview street located adjacent to 206 and 300 Pleasant Drive and to set a public hearing for August 17, 1999 to receive public comment regarding this matter.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Hilliard Caldwell.

*A RESOLUTION DECLARING THE INTENT OF THE BOARD OF ALDERMEN TO CLOSE A 16,305 SQUARE FOOT UNOPENED PUBLIC RIGHT-OF-WAY ON HILLVIEW STREET, ADJACENT TO 206 AND 300 PLEASANT DRIVE AND FURTHER IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS: 9778-98-1624, 9778-98-1795, 9778-98-1473, AND 9778-99-6223 AND SETTING A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN THIS PERMANENT CLOSING*

Resolution No. 45/98-99

**WHEREAS**, a plat record, in Plat Book 64 at Page 96 recorded on May 24, 1941, showing an unopened public right-of-way on Hillview Street constitutes an offer of dedication;

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

**SECTION 1.** The Board of Aldermen hereby accepts the 16,305 unopened square-foot public right-of-way on Hillview Street, adjacent to 206 and 300 Pleasant Drive.

**SECTION 2.** The Board of Aldermen hereby declares its intention to close an unopened public right-of-way (16,305 square feet) adjacent to 206 and 300 Pleasant Drive and further identified being located between parcels identified as numbers 9778-98-1624 and 9778-98-1473, and 9778-98-1795 and 9778-99-6223.

**SECTION 3.** The Board of Aldermen shall hold a public hearing on the proposed right-of-way closing at its regular meeting on August 17, 1999.

**SECTION 4.** This resolution shall be published once a week for four successive weeks prior to the hearing and a copy shall be sent by certified mail to the person who, according to the county tax records, own property adjoining the right-of-way proposed to be closed. In addition, a notice of the proposed closing and public hearing thereon shall be prominently posted in at least two place along the right-of-way to be closed.

**SECTION 5.** Should the right-of-way be closed as proposed, then all right, title and interest in the 16,305 square-foot unopened public right-of-way be closed pursuant to this order shall be conclusively presumed to be vested in those persons owning the parcels abutting the 43.86 footwide public right-of-way identified by parcel identification numbers 9778-98-1624 and 9778-98-1473, and 9778-98-1795 and 9778-99-6223 according to Orange County tax records and the title of such landowners identified by parcel identification number 9778-98-1624 and 9778-98-1473, and 9778-98-1795 and 9778-99-6223, for the width of the abutting land owned by them, shall extend as shown on the land survey dated May 19, 1999.

**SECTION 6.** 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 15<sup>th</sup> day of June, 1999:

**AYES:** Alex Zaffron, Hilliard Caldwell, Joal Hall Broun, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Allen Spalt

**NOES:** NONE

**ABSENT/EXCUSED:** NONE

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**APPOINTMENT TO PLANNING BOARD**

The Chair of the Planning Board recommended that Robbin Snider be appointed to the vacant in-town seat on the Planning Board.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL THAT ROBBIN SNIDER BE APPOINTED TO THE VACANT IN-TOWN SEAT ON THE PLANNING BOARD.  
VOTE: AFFIRMATIVE ALL.

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**REPORT OF THE MASTER RECREATION AND PARKS WORK GROUP**

The most recent efforts in intergovernmental recreation and park coordination have included the formation of a work group comprised of elected officials, citizens, staff, and interested stakeholders throughout Orange County. This work group had met over the last year and developed a report for consideration by the elected bodies in Orange County. Since this effort was initiated by the Orange County Board of County Commissioners, a representative from the County will make a presentation following the Board's summer break. The Board of Aldermen was asked to only receive the report at this time.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD OF ALDERMEN RECEIVE THE "REPORT OF THE MASTER RECREATION AND PARKS WORK GROUP." VOTE: AFFIRMATIVE ALL.

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**CERTIFICATION OF FIRE DEPARTMENT ROSTER**

To satisfy N.C. General Statute 58-86-25 which requires that all certified fire departments certify a complete roster of its qualified firefighters annually to the Firemen's Pension Fund. The Administration requested that the Mayor, on behalf of the Board of Aldermen, be authorized to sign the document certifying that the firefighter roster submitted is a true and accurate list of all eligible firefighters of the Carrboro Fire Department.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL THAT THE MAYOR BE AUTHORIZED TO SIGN THE CERTIFICATION DOCUMENT REGARDING THE FIRE DEPARTMENT ROSTER OF FIREFIGHTERS. VOTE: AFFIRMATIVE ALL.

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**CONDITIONAL USE PERMIT MINOR MODIFICATION/MCDOUGLE MIDDLE SCHOOL**

The Chapel Hill-Carrboro School Board requested a minor modification to the McDougle Middle School conditional use permit to allow two temporary modular classrooms. The purpose of the modification was to provide additional classroom space for the school system in order to accommodate increased enrollment while the Smith Middle School facility is being constructed.

Chris Murphy, Interim Zoning Administrator, made the staff presentation.

Bill Kelly, an employee of the school's maintenance department, informed the Board that the temporary modular classrooms would be used until the year 2001.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALLEN SPALT TO APPROVE THE MINOR MODIFICATION TO THE MCDOUGLE MIDDLE SCHOOL CONDITIONAL USE PERMIT TO ALLOW TWO TEMPORARY MODULAR CLASSROOMS. VOTE: AFFIRMATIVE ALL.

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## REVOLVING LOAN FUND REQUEST/EL CHILANGO, INC.

The purpose of this item was to present to the Board of Aldermen a revolving loan fund application from Jacques Menache, Lisa Domby, and Ruffin Slater, officers of the Board of Directors of El Chilango, Inc. The applicants were seeking a loan from the Revolving Loan Fund in the amount of \$50,000. This was a proposal to start a restaurant/Hispanic cultural center at 506 Jones Ferry Road.

James Harris, Community & Economic Development Director, made the staff presentation.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE REQUESTED \$50,000 LOAN TO EL CHILANGO, INC.. VOTE: AFFIRMATIVE ALL.

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## 1999-2000 BUDGET DECISIONS

The Mayor and the Board of Aldermen received and reviewed the proposed 1999-2000 Annual Budget prepared by the Town Manager. The purpose of this agenda item was to revise budget recommendations proposed by Town Manager and to instruct the Manager to develop a final draft of the budget for adoption by the Board on June 22, 1999.

By vote, in some instances, and by consensus, the Board authorized the following items for inclusion in the FY 1999-2000 budget:

<b>BUDGET ITEM</b>	<b>DEPT</b>	<b>COST</b>	<b>Tax Rate Impact</b>
Dependent Coverage	Nondeptl	\$ 13,000	\$ .172
Dependent Coverage – Additional Costs	Nondeptl	7,000	.093
Grand Opening Community Center	Gov Body	5,000	.066
Fence for Leash-Free Area at Community Park	Rec	2,250	.030
Assistant to Mayor	Gov Body	7,000	.093
Vision 20/20 Charet	Gov Sup	4,000	.053
Downtown Visioning Study	Gov Sup	4,000	.053
American Red Cross	Gov Sup	1,000	.013
Midget Football Team [taken from fund balance]	Rec	3,164	.04
Fete	Gov Sup	1,000	.013
Fiesta Pueblo	Gov Sup	1,000	.013
Stormwater Street Mapping Software	Pub Wks	10,000	.133
Landscaping Tools for Implementation of IPM Policies	Pub Wks	17,584	.233
Desktop Computers for Inspectors	Planning	2,000	.027
Planning Reorganization	Planning	4,327	.057
Planning Dept. Laptop Computer, replacement	Planning	3,000	.040
GIS Desktop Computer, replacement	Planning	3,000	.040
Computer Workstation	Police	3,000	.040
Part-time Program Support Assistant & Computer	Fire	10,802	.143
3 Full-time Firefighters	Fire	61,304	.813

BUDGET ITEM	DEPT	COST	Tax Rate Impact
Contribution to Fire Tower Training Room	Fire	3,725	.049
Implement New Financial System	Mgmt Svcs	10,800	.143
Network Administrator (6 months)	Mgmt Svcs	28,533	.378
Groundskeeper (1 FTE)	Pub Wks	24,549	.325
Temporary Workers (Landscape)	Pub Wks	5,981	.079
Portable Eqpmt Sheds (2)	Pub Wks	3,900	.052
Asphalt Heating Kettle	Pub Wks	4,800	.064
Two-Way Mobile Radio Set	Pub Wks	3,200	.042
Carpeting, Town Hall	Pub Wks	5,300	.070
Town Hall Building Renovations: Front porch roof, paint, heat pump, cool sealing	Pub Wks	21,700	.288
Cool seal painting, Public Works Facility	Pub Wks	4,995	.066
Generators, Public Works, Fire Dept.	Pub Wks	20,865	.277
Tennis Court repair: Wilson Park (4)	Rec	14,000	.186
Basketball Court repair, Anderson Community Park (2)	Rec	7,000	.093
Merit for FY 99-2000	Nondeptl	83,000	1.100
Reclassification/Market Adjustments	Nondeptl	45,785	.607
Across the Board (2%)	Nondeptl	102,955	1.365
Board of Aldermen – Pay Plan Adjustment	Board	2,363	.031
Network Connectivity B/T Town Bldgs (revised)	Nondeptl	71,630	.949
Upgrade of Community Police Officers	Police	8,097	.107
School Resource Officer, contingent on grant funding	Police	8,011	.106
Benches & trash receptacles for downtown	Pub Wks	3,900	.052
Health/fitness program	Police	12,013	.159
Furniture replacement, Fire Dept.	Fire	2,719	.036
Landscape Trailer	Pub Wks	2,500	.033
<b>TOTAL BUDGET ITEMS</b>		<b>\$665,752</b>	

The Board approved the above budget items by increasing the tax rate by 1.5¢ and funded the remaining difference by increasing fund balance appropriated. Additionally, the Board agreed to place \$43,250 in capital reserve funds out of fund balance for future capital expenditures.

The Board requested a report regarding the Fire Department’s fundraising efforts to purchase a thermal imaging camera.

The Board requested that the Agenda Planning Committee schedule for Board discussion the issue of employee compensation and benefits.

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**REVIEW OF PROPOSED AGENDA PROCESS CHANGES**

The Mayor and Board of Aldermen requested the Town Manager to improve the quality of agenda items. The Town Manager formed a committee from employees who routinely are involved in the agenda review process

to suggest possible changes to the Town's process. The purpose of this item was to review the proposed procedure submitted by the committee with the Mayor and Board of Aldermen and for the Board to approve it.

Robert Morgan, Town Manager, made the staff presentation regarding this matter.

Board members suggested that:

1. Consideration should be given to the manner in which material is photocopied for the agenda packet; i.e., duplexed material should be duplexed in an "item-specific method."
2. When sections of the Town Code are referenced by staff in reports to the Board, those sections should be excerpted from the digital copy for inclusion in the material where it is referenced.
3. Maps and plans should not be reduced to the point that readability and legibility is sacrificed.
4. The pages of attachments should be paginated.
5. A location map should be included in the material when an issue references a parcel(s) or street.
6. Information for joint review items should be placed on the Town's website so that Board members who are interested will have access to the information.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE PROPOSED AGENDA PROCESS WITH THE FOLLOWING DELETION:

1. Under "Scheduling of Agenda Items" (Attachment C), delete the sentence: "The Town Manager, the Mayor or any two Board members can add agenda items at any time."

VOTE: AFFIRMATIVE ALL.

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### **APPROVAL OF INTERLOCAL AGREEMENT FOR SOLID WASTE MANAGEMENT**

The purpose of this agenda item was for the Mayor and Board of Aldermen to consider approval of the Interlocal Agreement for Solid Waste Management.

Robert Jessup informed the Board of actions taken by the Town Council of Chapel Hill and the Orange County Board of Commissioners regarding this matter.

Gary Carver, resident of Blackwood Mountain Road, addressed the Board. Mr. Carver stated that the proposed agreement does not incorporate any of the input from the citizen group that have participated in the development of the proposed agreement. Mr. Carver stated that the proposed agreement does not protect the citizens that reside near the landfill.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT AND TO APPROVE THE INTERLOCAL AGREEMENT FOR SOLID WASTE MANAGEMENT WITH THE FOLLOWING CONDITIONS:

1. The Board strongly encourage that the fourteen points developed by the citizen workgroup be an attachment of and/or to the Interlocal Agreement.
2. That the following two points of discussion by Chapel Hill and Orange County be worked out:
  - a) *For the 60 acres of the Greene Tract to be transferred to the County for solid waste management purposes, impose the prohibition on the use of that property for burying solid waste or as a C&D*

*landfill through a restriction in the deed from the current owners to the County, so it would be a legally enforceable restriction. In addition, state that no non-solid waste management use could be made of the 60-acre portion without the agreement of the three co-owners.*

The County Commissioners stated a willingness to go along with that proposal, provided that the deed expressly allowed other solid waste management uses of the property (such as a transfer station and a materials recovery facility). In addition, the County would want to know either that governmental solid waste uses of this property (such as a transfer station and a materials recovery facility) were permitted uses of the property, or if not, to have Chapel Hill begin the process to make them permitted uses – that is, the County does not want to have to go through a special use permit process for solid waste activities on the property.

b) *Describe more explicitly the integrated solid waste management plan that the parties have already adopted. In the opening paragraph of Part 4, add a statement to the effect that the parties have adopted a plan that includes goals for the reduction of the solid waste stream and reaffirming those goals on the date of the agreement, while acknowledging the County's discretion to change the plan (including those goals) to match resources and requirements.*

The County accepted this suggestion. As stated above, on this point the Carrboro Board voted to go along with whatever the County and Chapel Hill could work out.

VOTE: AFFIRMATIVE ALL.

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**REQUEST TO ADOPT A RESOLUTION ENDORSING PROJECTS RECOMMENDED BY THE NEW CARRBORO/NEW CENTURY COMMITTEE**

The Board of Aldermen, at its budget worksession of June 9th, heard a presentation from the Town Manager on the Town's proposed Capital Improvement Plan (CIP). The Mayor, who had been leading a citizen-based community group, the New Century, New Carrboro Committee, also presented a draft report of the recommendations developed by this group. The Committee's report complements the Town's CIP, acknowledging the need for facilities to meet critical service needs for fire protection and identifies other projects that meet basic community needs.

The Mayor requested that the Board of Aldermen approve a resolution that endorses the capital projects proposed by the New Century/New Carrboro Committee. This resolution also instructed staff to draft a final Capital Improvement Plan incorporating the recommendations of the Committee and to develop a capital financing plan that provides for the adequate funding of the Town's capital program.

Heidi Perry addressed the Board regarding this matter. Ms Perry voiced her opinion regarding the proposed items suggested by the New Century/New Carrboro Committee.

The following resolution was introduced by Alderman Joan Hall Broun and duly seconded by Alderman Diana McDuffee.

**A RESOLUTION ENDORSING THE NEW CENTURY/NEW CARRBORO COMMITTEE'S RECOMMENDATIONS**

Resolution No. 43/98-99

**WHEREAS**, the Town of Carrboro will be celebrating her 100<sup>th</sup> birthday in 2011; and

**WHEREAS**, the Year 2000 marks the beginning of a new century and a new millennium; and

**WHEREAS**, the Mayor and Board of Aldermen decided to celebrate these two remarkable events by identifying town-improvement projects to be completed one-per-year from 2000 to 2011; and

**WHEREAS**, on May 22, 1999 the Mayor and Board of Aldermen convened a group of citizens to brainstorm ideas for these projects; and

**WHEREAS**, a steering committee of citizens refined the ideas generated at that meeting and has proposed a twelve-year plan called "New Century/New Carrboro;" and

**WHEREAS**, these projects balance the needs of the community by promoting the environment, economic development, recreation, cultural needs, and infrastructure improvements; and

**WHEREAS**, the Carrboro Board of Aldermen wants the Town's Capital Improvement Plan to incorporate the recommendation of the New Century/New Carrboro Committee; and

**WHEREAS**, the Carrboro Board of Aldermen, recognizes a financing plan is critical to providing for the adequate funding of the Town's capital program;

**NOW THEREFORE, BE IT RESOLVED, THE CARRBORO BOARD OF ALDERMEN THAT THE ALDERMEN RESOLVES:**

*SECTION 1.* The Board endorses the recommendations proposed by the New Century/New Carrboro Committee.

*SECTION 2.* The Board directs staff to prepare a final draft of the Capital Improvement Plan incorporating the New Century/New Carrboro Committee recommendations as proposals to be considered for funding.

*SECTION 3.* The Mayor and Board of Aldermen direct the town manager to identify a staff position to oversee the "New Century/New Carrboro" project over its twelve-year life span.

*SECTION 4.* That the revised Capital Improvement Plan be submitted to the Board for approval following its summer break and that a capital financing plan be developed to show how the Capital Improvement Plan will be funded.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 15<sup>th</sup> day of June, 1999:

**AYES:** Alex Zaffron, Hilliard Caldwell, Joal Hall Broun, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Allen Spalt

**NOES:** None

**ABSENT/EXCUSED:** None

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**COMMUNITY CENTER CONSTRUCTION MANAGER**

The Board authorized the Design Review Committee the responsibility of hiring a construction manager to oversee the renovations of the Town Center and to enter into a contract regarding the lead-based paint program.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD ENTER INTO CLOSED SESSION TO DISCUSS A PERSONNEL MATTER. VOTE: AFFIRMATIVE ALL.

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MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ALEX ZAFFRON THAT THE MEETING BE ADJOURNED AT 11:55 P.M.

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**MICHAEL NELSON, *Mayor***

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**JAMES E. SPIVEY, *Deputy Town Clerk***