

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 23, 2000 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Dorosin
	Jacquelyn Gist
	Diana McDuffee
	Allen Spalt
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

PRESENTATION OF AWARD

Mayor Nelson presented the Bryan Benson Award to Roy Williford and Trish McGuire for small comprehensive planning for 2000.

DONATION ACKNOWLEDGED

Mayor Nelson thanked Craig Melchert for donating an U.S. flag to the town. Mayor Nelson stated that this flag would be flown at the Town Hall.

APPROVAL OF MINUTES OF PREVIOUS MEETING: MAY 16, 2000

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE MAY 16, 2000 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING ON THE FINANCING OF THE HILLSBOROUGH ROAD PARK

On November 30, 1999, the Board authorized the purchase of land on Hillsborough Road and authorized a reimbursement resolution signaling that the Town may use cash resources and lease-purchase financing to purchase the property. The Town, at the time of the purchasing the property, used a combination of payment-in-lieu revenues and general fund cash reserves (fund balance) to buy the land. The Board then directed staff to work with a group of citizens to investigate other financing alternatives, such as grant opportunities. To date, it has been determined that lease purchase financing is the most desirable alternative to funding the purchase of the land for the park. It is hoped that grant funds can be pursued to develop the park.

State law (NC Statutes 160A-20(g)) requires that the Town conduct a public hearing when funds are borrowed to purchase real estate. A notice of the public hearing must be published once at least 10 days before the date fixed for the hearing. Thus, the Board was requested to set a public hearing for June 13, 2000.

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

A RESOLUTION CALLING A PUBLIC HEARING
ON THE USE OF LEASE PURCHASE FINANCING TO
PURCHASE PROPERTY ON HILLSBOROUGH ROAD FOR A PARK
Resolution No. 157/1999-2000

WHEREAS, the Carrboro Board of Aldermen agrees to use installment debt financing to purchase 9.4 acres on Hillsborough Road for a park; and

WHEREAS, a public hearing is required by NC General Statutes to receive community comment prior to using installment debt financing for purchase of real estate.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 13, 2000 to consider the lease purchase financing of the park property.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of May, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

A REQUEST TO AMEND THE CENTURA INSTALLMENT CONTRACTS TO ENABLE ADDITIONAL EQUIPMENT PURCHASES

The Board, in adopting the annual fiscal year budget, approves the use of installment purchase (informally known as lease-purchasing financing) funding for numerous vehicles and equipment. Town staff has identified additional lease proceeds in two contracts that are available for "drawdown" to purchase additional capital items.

Town staff, in an effort to reduce the tax rate recommended for the upcoming fiscal year, has identified \$14,400 in public works equipment that can be purchased using lease proceeds identified above. The three items are: Traffic Counters (\$7,000); Snow Plow (\$4,500); and a Billy Goat Vacuum (\$2,900).

The administration recommended that the Board adopt a resolution to amend the Centura installment contracts to enable the staff to purchase the additional items.

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

RESOLUTION TO AMEND LEASE INSTALLMENT CONTRACTS
WITH CENTURA BANK
Resolution No. 159/1999-2000

WHEREAS, the Town Manager, Robert W. Morgan, has described to the Board the opportunity to amend two Centura contracts.

1. The first contract, dated December 18, 1998 in the amount of \$149,856 will be amended to add the following items:

Item	Amount
Traffic Counters	\$7,000
Snow Plow 8'	\$4,500
Total	\$11,500

2. The second contract, dated December 10, 1999 in the amount of \$60,500 will be amended to add the following item:

Item	Amount
Billy Goat Vacuum	\$2,900
Total	\$2,900

WHEREAS, the Board authorizes the Town Manager to execute any documents necessary to amend the contract.

BE IT RESOLVED by the Board of Aldermen as follows:

Section 1. The items above are added to the amended Centura contracts.

Section 2. The Town Manager, Robert W. Morgan, is authorized to execute the documents necessary to execute the amended contracts.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of May, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

A REQUEST TO ADOPT A BUDGET ORDINANCE RECLASSIFYING THE PAYMENT IN LIEU FUND AND CAPITAL PROJECT FUND

As the Board is aware, the Management Services Department is in the process of implementing a new financial system for the Town and is revising accounting practices where appropriate. It was requested that the Board approve a budget ordinance to properly reclassify the capital reserve funds as part of the special revenue fund type. It is a change that is supported by the Town’s external auditors, Dixon, Odom, PLLC. Currently, the Town’s capital reserve fund and payment in lieu revenues are classified within the capital project fund type for auditing purposes. The budget amendment requested is simply an administrative process to ensure clarity in the administration and use of the Town’s various funds and budgets.

Further clarification is also requested from the Board on the Manager's authority in administering capital project budgets. Typically, capital projects are approved at the project level with the Manager having discretion to transfer funds between line items of the project as long as it is not overspent. The Town does not have a written policy on this. It is recommended that the Board allow the Town Manager this discretion.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'1999-2000 BUDGET ORDINANCE." IN ADDITION, THAT THE TOWN MANAGER BE AUTHORIZED TO TRANSFER FUNDS UNDER \$10,000 BETWEEN LINE ITEMS WITHIN A CAPITAL PROJECT AS LONG AS EXPENDITURES ARE WITHIN THE OVERALL PROJECT BUDGET. VOTE: AFFIRMATIVE ALL

A REQUEST TO ADOPT A BUDGET ORDINANCE TRANSFERRING FUNDS FROM THE BOARD OF ALDERMEN'S BUDGET TO NONDEPARTMENTAL FOR THE INTERFAITH COUNCIL

The Board at its meeting on April 11, 2000 voted to allocate \$1,000 from the Board's departmental budget to the Nondepartmental cost center to provide financial assistance to the Interfaith Council. The Board was requested to adopt a budget ordinance making that transfer of funds.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'1999-2000 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

MID-APRIL TO MID-MAY ACTIVE PROJECTS REPORT

The Zoning Division is responsible for preparing a monthly report outlining the construction activities of various projects of interest within the Town of Carrboro's jurisdiction. The report for the period April 16-May 15, 2000 was presented to the Board.

PRESENTATION OF 2000-2001 BUDGET RECOMMENDATION BY THE HUMAN SERVICES COMMISSION

The purpose of this item was for the Human Services Commission to present to the Board of Aldermen the recommendations from the Human Services Commission for funding requests from the nonprofit agencies providing services to Carrboro citizens.

Rena Ramsey Caldwell presented the 2000-01 Human Services Commission recommendations to the Board of Aldermen which total of \$80,000.

WORKSESSION: REVIEW OF THE ENVIRONMENTAL ADVISORY BOARD'S RECOMMENDED LAND USE ORDINANCE CHANGES

On October 26, 1999 the Board reviewed a staff analysis of Environmental Advisory Board (EAB) recommendations to make changes to the land use ordinance provisions. The Board adopted a resolution that

evening to hold a work session, or work sessions to further consider five issues noted by staff as falling outside current ordinance provisions or requirements. A resolution was prepared to specify whether further action on any of the five issues should be pursued.

The following members of the Environmental Advisory Board were present: Giles Blunden, Chair; Glynis Gore and Erwin Gutzwiller.

Giles Blunden referred to the following goals of the EAB:

1. Following data compilation and analysis, pursue a watershed-based zoning approach (if the community wishes to allocate impervious surfaces and development levels by watershed) and/or a zoned approach to stream buffers to ensure their effectiveness by specifying permitted uses in particular parts of each stream buffer.
2. Using the data noted above and other sources, incorporate biotic communities' overlays that would be used to expand information on, and perhaps reprioritize, secondary conservation areas that are identified during the site planning/open space designation process.
3. Apply design standards and/or controls to ensure that stormwater is not released in a concentrated fashion at the edge of or within any stream buffer.
4. Develop a manual of open space maintenance procedures and ownership/management responsibilities.
5. Revise parking standard drawings to incorporate a permeable paving system, require a minimum number of compact parking spaces, and incorporate bio-retention areas for water quality protection into parking lot stormwater management systems.

Erwin Gutzwiller suggested that the Board develop a regional transportation system. Data should be collected to protect the water supply-current topo maps, baseline watershed info, stream buffers, runoff characteristics, stormwater systems inventory, current GIS data, and CAD data. Developers should be required to submit this information. Data application-meeting federal mandates, develop watershed-based zoning, identify biotic communities and habitats, planning, research, resource development, and environmental planning. Species Extinction—the vast majority of species become extinct because of development. Summary—objectives for data collection, well-designed collection plans, information integration, impact analysis, environmental economics, flora and fauna identification and location, integration of environment and sustainable development.

Glynis Gore stated that the EAB would like to educate citizens and developers. Ms. Gore stated that the EAB is also working with Orange County on environmental issues.

Mr. Blunden stated that there are things that can be done that are not cost prohibitive; i.e., changing the ordinance so that the size of parking lots areas are decreased.

Mr. Gutzwiller suggested that the EAB become involved in the development process early on to avoid added development costs.

Glynis Gore stated that the EAB would like to give homeowners associations' guidelines to manage open space.

Alderman Gist suggested that the Board hold a mini retreat on a Saturday to discuss the issues raised by the EAB.

Glynis Gore suggested that the EAB present each of their recommendations to the Board separately.

Alderman Broun suggested that the Board meet with each advisory board to receive quarterly reports on policy issues.

Glynis Gore suggested that the joint review boards meet together to discuss projects jointly before breaking up into separate meetings.

The Board agreed to hold a mini-retreat in the fall of 2000.

REPORT ON REQUESTS FOR CLASSIFICATION AND SALARY GRADE ASSIGNMENTS

The purpose of this item was for the Board to receive the report on the requests for reclassification and salary grade assignments performed by Municipal Advisors, Inc.

Desiree White, the town's Personnel Director, stated that Municipal Advisors charged the town \$150 per position to perform this study.

BUDGET INSTRUCTIONS TO TOWN MANAGER FOR FY2000-01 BUDGET

The Mayor and the Board of Aldermen have received and reviewed the Recommended FY2000-01 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 13.

Alderman McDuffee suggested that a committee be formed to discuss how to improve the bus system.

Mayor Nelson requested that Alderman McDuffee take the lead in preparing a charge for the committee and scheduling a meeting.

Alderman Dorosin volunteered to serve on the committee.

It was the consensus of the Board to authorize the Mayor to forward a letter to UNC and Chapel Hill expressing the town's continued interest in exploring fare-free bus service for UNC students.

It was the consensus of the Board to fund Option 1A in the 2000-01 budget.

The Board took a straw vote to remove the micro-loan assistance from the budget (\$3,500) and fund this program out of the Revolving Loan Fund. Affirmative five, negative two. (Broun, Gist)

Alderman Zaffron made a motion to reduce the debt service amount for the land bank (\$169,989) by \$24,989 and fund the remaining \$145,000 from fund balance. The motion died for the lack of a second.

Alderman Dorosin volunteered to contact the Chamber of Commerce to determine whether they would consider including the Brewer's Lane sidewalk in their sidewalk assistance program.

It was the consensus of the Board to fund the environmental planner position for six months only.

Mr. Morgan pointed out that the reclassifications/market adjustments would cost \$29,500, not \$37,500.

The Board accepted the recommendation of the Town Manager for cuts to the 2000-01 budget.

Mayor Nelson suggested that 10% be cut from travel, office and department supply budgets. This suggestion was not agreed to by the Board.

Alderman Spalt requested a report on hiring a staff engineer.

It was the consensus of the Board to direct the Town Manager to prepare a list of recommended cuts to the budget amount to one cent on the tax rate.

Alderman Dorosin suggested that the appropriation to Orange Community Housing be increased by \$3,000.

In summary, the Board requested that the Town Manager include the following revisions in the 2000-01 budget:

ITEM	\$ AMOUNT	TAX RATE	COMMENTS
Option 1 Transit Service (Fare Free)	<3,586>	<.045>	The Board voted to fund Option 1A.
Micro-Loan Assistance	<3,500>	<.044>	This will be funded out of the Revolving Loan Fund.
Traffic Counters	<7,000>	<.087>	This item will be bought on the 98-99 Centura contract.
Snow Plow 8'	<4,500>	<.056>	This item will be bought on the 98-99 Centura contract.
Billy Goat Vacuum	<2,900>	<.035>	This item will be bought on the 99-2000 Centura contract.
Technology – Reduced Server Prices	<5,000>	<.063>	
Savings on Signal Installation for Fire Department	<4,800>	<.060>	
Police Generator	<19,419>	<.243>	The Board delayed this purchase for one year.
Transfer to Payment-In-Lieu	<9,000>	<.113>	
Environmental Planner	<21,361>	<.267>	Funding for one-half year only.
Savings in Reclassifications/Market Adjustments	<8,000>	<.10>	
Increased appropriation to Orange Community Housing Corp.	3,000	.038	
Increased Privilege License Revenue	<6,500>	<.082>	
Total	<92,566>	<1.157>	

REQUEST TO APPROVE A MEMORANDUM OF AGREEMENT FOR PROVIDING COORDINATED SITE AND FACILITY PLANNING

On Thursday, May 10, 2000 the *Joint Schools and Land Use Councils* requested that each member unit consider approving "A Memorandum of Agreement for Providing Coordinated Site & Facility Planning". The purpose of this item was to present the memorandum of agreement for adoption by the Carrboro Board of Aldermen.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Allen Spalt.

A RESOLUTION ADOPTING AND AUTHORIZING THE MAYOR TO SIGN
 "A MEMORANDUM OF AGREEMENT FOR PROVIDING
 COORDINATED SITE & FACILITY PLANNING".

Resolution No. 158/1999-2000

WHEREAS, the *Joint Schools and Land Use Councils* requested that each member unit consider approving "A Memorandum of Agreement for Providing Coordinated Site & Facility Planning".

WHEREAS, the Town of Carrboro is a member of the *Joint Schools and Land Use Councils*;

WHEREAS, the sharing of public information and facilities is in the best interest of the public at large;

WHEREAS, the Town of Carrboro has supported the coordination of facility planning and efforts to maximize the use of public assets through the co-location of facilities where possible and appropriate;

WHEREAS, "A Memorandum of Agreement for Providing Coordinated Site & Facility Planning" establishes and implements a coordinated site and facility planning process for schools and compatible government facilities

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that "A Memorandum of Agreement for Providing Coordinated Site & Facility Planning" is hereby adopted and the Mayor is authorized to sign the agreement as the Town's Chief Elected Official.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of May, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

ORDINANCE AMENDMENT TO ALLOW SALES OF GOODS AT TOWN COMMONS BY PERSONS WHO HAVE RESERVED THIS FACILITY

Subject to certain exceptions, Chapter 14 of the Town Code does not allow commercial activity on town property. The purpose of this item was to consider an amendment to Section 14-20 of the Town Code to allow sales of goods at the Town Commons by persons who have reserved this facility in accordance with the Town's policy. This amendment would authorize use of the Town Commons for such purposes as a craft or flea market not operated by or on behalf of the town.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO AUTHORIZE THE SALE OF MERCHANDISE AT THE TOWN COMMONS BY PERSONS WHO RESERVE THE TOWN COMMONS PURSUANT TO TOWN GUIDELINES." VOTE: AFFIRMATIVE ALL

AMENDMENT TO TOWN POLICY REGARDING RESERVATION AND USE OF TOWN COMMONS

The Town policy on the reservation and use of the Town Commons generally prohibits any private party from reserving the facility more than two times per year, except for Town sponsored events. In order to

accommodate a proposal to have a private party operate a craft/flea market at the Town Commons for as many as 26 Sundays annually, the policy would have to be amended.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Allen Spalt.

A RESOLUTION AMENDING THE TOWN POLICY
ON THE USE OF THE TOWN COMMONS
Resolution No. 142/1999-2000

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The town's policy on the use of the Town Commons is amended as follows:

(a) Section 7.0. Add the following phrase at the beginning of paragraphs C, D, and I: "Subject to paragraph J..."

(b) Section 7.0. Add a new paragraph J to read as follows:

J. The manager may enter into an agreement allowing a private person or group to reserve the Town Commons for up to 26 Sundays over a 12-month period during the hours of 1:00 to 5:00 p.m. to operate an arts and craft/flea market. Among other provisions, any such agreement shall provide:

For payment of a facility use and payment fee in an amount negotiated by the town and the applicant;

That a market manager may be provided by the applicant in lieu of a facility supervisor employed by the town;

That the applicant shall carry sufficient liability insurance and list the town as an additional insured;

That either party can withdraw from the arrangement upon 30 days notice;

That no activity of the applicant may conflict with a town-sponsored event, and any such event shall have precedence over use of the Town Commons by the applicant;

That the applicant agrees to all other guidelines and ordinances applicable to use of the Town Commons;

That the town is not obligated to renew any reservation under this paragraph in future years.

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 23rd day of May, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

DISCUSSION OF THE WATER AND SEWER BOUNDARY AGREEMENT

Mayor Nelson stated that he had received a letter from Moses Carey requesting that the Water and Sewer Boundary Agreement be approved by the Board.

The Board requested that this matter be placed on the 6/27/2000 Agenda for consideration.

ADVISORY BOARD GUIDELINES

Alderman Dorosin requested that the Board review the advisory board guidelines on June 27th.

STONE QUARRY EXPANSION

The Board requested that the issue of the Stone Quarry Expansion be placed on the Board's June 6th agenda. The Board requested the following:

1. A memorandum from OWASA outlining the process and criteria for replacing wells without proving fault, the amount set aside to meet requests for well replacements, which wells will be replaced, if the age of the wells will be a factor and would replacement costs include equipment.
2. A memorandum from OWASA and its attorney laying out OWASA's plans for the current quarry if the expansion is not granted. How would OWASA obtain the current quarry? Would it be through condemnation?
3. That Orange County be asked whether there is another zoning category that could be used and if so, what would be involved in the change?
4. That a copy of the Chapel Hill Town Council's action on the approval of the quarry expansion be provided to the Board.
5. That a map be provided showing streets and houses within 3,000, 4,000, and 5,000 feet of the quarry boundary.
6. A memorandum from the Town Attorney addressing the typical royalties paid when a corporation mines a property. In addition, that this memorandum address options for how OWASA can gain access to use the current quarry.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO
ADJOURN THE MEETING AT 11:10 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk