A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 12, 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

#### **TIME WARNER FRANCHISE**

Bob Gwen, President of the People's Channel, asked that the town negotiate with Time Warner under the new franchise to add the People's Channel to the channel lineup, for three analog channels, for the opportunity for the People's Channel to have an agreement with the town for community programming.

The Board referred this matter to the Agenda Planning Committee for a follow-up discussion when the franchise is next discussed.

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#### **REQUEST FOR FUNDING**

Michelle Cotton, Executive Director of the N.C. Minority Youth and Family Resource Center, submitted a proposal for funding two community forums targeted at African American and Hispanic/Latino youth and families in Carrboro. Ms. Cotton requested \$5,000 from the Town of Carrboro.

Alderman McDuffee requested additional information about the organization, including a list of the board members.

The Board requested that Ms. Cotten contact the Town of Chapel Hill and the School System about funding the community forums.

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#### **DONATION OF FUNDS/TOWN COMMONS BANDSTAND**

Jay Bryan presented a check in the amount of \$16,960 from an anonymous donor to be used towards the construction of the bandstand.

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Mr. Morgan stated that the town had received a certificate of occupancy for the offices in the Carrboro Century Center and that the Police and Recreation Departments would be moving into the facility on December 18, 2000. Mr. Morgan stated that the floor in the Century Hall is currently being installed.

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#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE DECEMBER 5, 2000 MINUTES. VOTE: AFFIRMATIVE ALL

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#### REQUEST TO AUTHORIZE THE PURCHASE OF SIX VEHICLES

The purpose of this agenda item was to authorize the purchase of five vehicles by the Police Department and one vehicle by the Planning Department. The Board is requested to allow the Town to waive the formal bidding procedures using the streamlined piggybacking procedures allowed by the General Statutes (GS 143-129(g)) and to authorize the purchase of the vehicles. Funds have been set aside in the current budget to purchase the vehicles.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Joal Hall Broun

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF SIX (6) VEHICLES Resolution No. 80/2000-01

BE IT RESOLVED by the Board of Aldermen that a contract is awarded for the following:

Authorize the purchase of the following requested vehicles:

- (3) Blazers 4-wheel drive Police Department
- (2) Ford Crown Vic Sedans Police Department
- (1) Blazer 4-wheel drive Planning Department

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 12<sup>th</sup> day of December, 2000:

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

Zaffron

Noes: None

Absent or Excused: None

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## A RESOLUTION ESTABLISHING THE CHARGE FOR THE "FRIENDS OF THE CENTURY CENTER"

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The Board of Aldermen adopted a resolution on September 5, 2000 that established the "Friends of the Century Center" as a support group to raise funds for the Carrboro Community Center. The Recreation and Parks staff was assigned the task of developing a charge for this group. The purpose of this agenda item was to request approval of a resolution that further establishes the criteria of the "Friends of the Century Center".

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Joal Hall Broun.

#### A RESOLUTION ESTABLISHING THE CHARGE FOR THE "FRIENDS OF THE CENTURY CENTER" Resolution No. 81/2000-01

WHEREAS, the Carrboro Century Center will be completed in the fall of 2000; and

WHEREAS, the Century Center will provide space for art classes, dance, theater, concerts, and many other artistic and cultural endeavors; and

WHEREAS, the Century Center will become a thriving hub in the heart of Carrboro driving our cultural and economic growth; and

WHEREAS, the taxpayers alone will be unable to fund all the capital improvements and cultural activities the Center deserves; and

WHEREAS, the Mayor and Board of Aldermen wish to provide the necessary tools for the Century Center to thrive; and

WHEREAS, the Board of Aldermen authorized the establishment of a "Friends of the Century Center" fundraising committee and asked that a formal charge be further developed.

NOW, THEREFORE, THE BOARD OF ALDERMEN RESOLVE THE FOLLOWING:

Section 1. That the formal charge for the committee shall include the following tasks:

- a. To serve as a fundraising committee for the Carrboro Century Center.
- b. To raise funds to support cultural, educational and artistic programs, and events and to fund capital improvements to the Century Center above and beyond those funded by the Town.
- c. To develop and implement strategies to raise funds.
- d. To recommend to the Board of Aldermen how to expend funds that are collected.

Section 2. That the "Friends of the Century Center" shall meet quarterly, but is encouraged to begin meeting monthly until such time that a fund-raising strategy has been developed.

- Section 3. The committee shall consist of seven (7) citizens appointed for two-year terms by the Board of Aldermen. The members will elect a committee chair at their first meeting.
- Section 4. 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 12th day of December, 2000:

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

Zaffron

Noes: None

Absent or Excused: None

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## A REQUEST TO ADOPT A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A DEED OF EASEMENT TO OWASA

The purpose of this item is for the Board of Aldermen to consider authorizing the Town Manager to execute a deed of easement granting OWASA an easement for the existing two sewer lines at the town's Public Works facility.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Joal Hall Broun.

#### A RESOLUTION AUTHORIZING THE TOWN MANGER TO EXECUTE A DEED OF EASEMENT TO OWASA Resolution No. 79/2000-01

BE IT RESOLVED by the Carrboro Board of Aldermen authorize the Town Manager to execute the deed of easement to OWASA.

BE IT FURTHER RESOLVED THAT THE FOLLOWING LANGUAGE BE ADDED TO THE EASEMENT AGREEMENT: "The Grantee shall be obligated, immediately upon the completion of any work within the easement conveyed herein, to remove from Grantor's lot all refuse and debris produced in the course of such work, and to restore and reseed any area that has been disturbed, and to repair and restore any drives or parking areas disturbed in the course of this work."

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 12th day of December, 2000:

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

Zaffron

Noes: None

Absent or Excused: None

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#### REVOLVING LOAN FUND APPLICATION/ALPHABET SOUP, INC.

The purpose of this item was to present to the Board of Aldermen a loan request from Rosalind Council and Ranova Pendergrapft, principals of Alphabet Soup, Inc., in the amount of \$48,000 at 2% interest for a term of 20 years.

James Harris, the town's Community and Economic Development Director, made the staff presentation.

Alderman Spalt suggested that a provision be placed in the contract to encourage early pay back of the loan.

Mike Brough suggested that a provision be placed in the loan agreement to state that the loan principal will be reduced by 1% for each year early the loan is repaid.

The following resolution was introduced by Alderman Allen Spalt and duly seconded by Alderman Mark Dorosin.

#### A RESOLUTION APPROVING A REVOLVING LOAN FOR ALPHABET SOUP INC. Resolution No. 77/2000-01

WHEREAS, Rosiland Council and Ranova Pendergraft have applied for a loan from the Town of Carrboro's Revolving Loan Fund in the amount of \$48,000 at 2% interest for 20 years to expand and move their day care center located on Glosson Circle to a new and larger facility on Lloyd Street; and

WHEREAS, the applicants have met the criteria for the loan by being located in the Town of Carrboro, creating more than the one (1) job per \$10,000 borrowed, having contributed more than a dollar-for-dollar match for the money requested from the Town, and documenting a clear ability to repay the loan based upon documents submitted; and

WHEREAS, the applicants have all applicable permits from the Carrboro Zoning Office.

#### NOW THEREFORE THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES:

Section 1. The applicants have met the requirements for the loan under the RLF Program and have met all requirements to receive the necessary permits from the Zoning Division to operate the business in the Town of Carrboro

Section 2. The Manager is authorized to have the Town Attorney's office prepare all necessary documents and issue a loan in the amount of \$48,000 at an interest of rate 2% for a term of 20 years. The collateral for the loan will be a second security position on the business property and the personal signatures of the applicants.

Section 3. That a provision be placed in the loan agreement to state that the loan principal will be reduced by 1% for each year early the loan is repaid.

Section 4. 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 12th day of December, 2000:

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

Noes: None

Absent or Excused: None

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#### AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE TOWN COMMONS BANDSTAND

The purpose of this item was to recommend the award of a contract to the lowest qualified bidder for the construction of the Town Commons Bandstand.

James Harris, the town's Community and Economic Development Director, made the staff presentation.

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

# A RESOLUTION AUTHORIZING ACCEPTANCE OF LOW BID FOR THE CONSTRUCTION OF THE CARRBORO BANDSTAND FOR THE TOWN COMMONS SITE Resolution No. 78/2000-01

WHEREAS, the Board of Aldermen authorized staff to solicit proposals from qualified contractors to build the bandstand on the Town Commons site; and

WHEREAS, Mr. Jay Bryan has raised funds to cover any cost overruns beyond the \$39,000 that the Town has on hand for this project; and

WHEREAS, the staff requested informal bids for the project and received bids from qualified contractors and the architect and staff interviewed both potential builders and found both to be reputable and able to perform the work prescribed by the plans; and

WHEREAS, Mr. Paul Plummer submitted the lowest bid at \$38,600 which is within the budget and will provide the town with a turn–key job. However this bid does not include baffles and gutters for the bandstand which may be installed at a later date at a cost of \$10,000 if needed.

#### NOW THEREFORE THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES:

Section 1. Paul Plummer Building Company, Inc. has submitted the lowest bid and has all required licenses required to perform the prescribed.

Section 2. The Manager is authorized to have the Attorney's Office prepare a contract between the Town and Plummer Building Company for \$38,000 with a contingency amount of \$5,000 to cover the cost of baffles and drainage work which may be added at a later date under separate contract. The Manager is also authorized to execute all necessary documents to secure the services of the contractor for the bandstand and any associated work if the baffles and drainage is deemed necessary.

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 12th day of December, 2000:

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

Zaffron

Noes: None

Absent or Excused: None

Alderman Spalt asked that resolutions of appreciation be prepared for the anonymous donor, Bob Wright and

any others who contributed significantly to the bandstand project.

Alderman Broun requested that a plaque be placed on bandstand with the names of those who contributed to its

construction.

Alderman Dorosin suggested that the staff investigate presenting "keys to the city" awards.

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### A REPORT ON THE PROPOSED AGENDA FOR THE JANUARY 7TH PLANNING RETREAT

The Retreat Planning Committee has developed an agenda for the January 7<sup>th</sup> Planning Retreat. The Committee requests that the Board of Aldermen approve the proposed agenda.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist

#### A RESOLUTION APPROVING THE JANUARY 7, 2001 PLANNING RETREAT AGENDA Resolution No. 82/2000-01

BE IT RESOLVED that the Mayor and Board of Aldermen approve the proposed agenda for the January 7, 2001 Board of Aldermen Planning Retreat.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this

12th day of December, 2000:

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

Zaffron

Noes: None

Absent or Excused: None

Alderman Broun asked whether there would be time to discuss process issues.

It was the consensus of the Board to set side time at the end of the first day of the second retreat to discuss

process issues.

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#### **CONSTRUCTION BUDGET AMENDMENT: CARRBORO CENTURY CENTER**

The Mayor and Board of Aldermen adopted a budget for the construction of the Carrboro Century Center. During the renovation, change orders have been issued against the construction contingency to deal with modifications and additions. The Board needs to amend the construction budget to reflect these changes.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Allen Spalt.

# A RESOLUTION APPROVING CHANGE ORDERS TO THE CARRBORO CENTURY CENTER AND DELEGATING THIS RESPONSIBILITY TO THE DESIGN REVIEW COMMITTEE Resolution No. 83/2000-01

WHEREAS, the Town of Carrboro is renovating the former Carrboro Baptist Church to be used as the Carrboro Century Center, and

WHEREAS, renovation work requires modifications not anticipated in the original construction.

NOW THEREFORE BE IT RESOLVED, by the Carrboro Mayor and Board of Aldermen the following:

- 1. General Contractor Change Orders 5, and 6; Plumbing Contractor Change Order 6; and Electrical Contractors Change Order 2 are approved.
- 2. The Design Review Committee (Mayor Nelson, Aldermen McDuffee, Spalt and Zaffron) is authorized to approve change orders to complete the project within allocated budget.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 12th day of December, 2000:

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

Zaffron

Noes: None

Absent or Excused: None

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALLEN SPALT TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY-2000-01 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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## <u>AUTHORIZATION TO PROCEED WITH LAWSUIT TO REMOVE BURNED STRUCTURE ON</u> DAVIE ROAD

Mike Brough asked for authorization to proceed with a lawsuit to remove the burned structure located on Davie Road.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO AUTHORIZE THE TOWN ATTORNEY TO PROCEED WITH THE LAWSUIT. VOTE: AFFIRMATIVE ALL

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#### PUBLIC FORUM ON AQUATICS CENTER

Alderman Gist asked that Chapel Hill's aquatics forum scheduled for January 29<sup>th</sup> be advertised in such a way to welcome the entire community to participate.

It was the consensus of the Board to request the Mayor to forward a letter to Chapel Hill and Orange County asking that the advertisement for the forum be advertised in such a way to welcome the entire community to participate and that it be held at the Southern Human Services Building.

Mayor Nelson requested that the Agenda Planning Committee schedule a discussion of the town's aquatic needs.

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## REQUEST FOR OWASA MINUTES/DISCUSSION OF JORDAN LAKE WATER SUPPLY ALLOCATION

Alderman Broun requested a copy of OWASA's December 14, 2000 minutes concerning the Jordan Lake water supply allocation.

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#### REQUEST FOR REPORT ON "PAY AS YOU THROW"

Alderman Broun requested a report from the town staff on Chapel Hill's report on "Pay As You Throw" Refuse Collection Options to include the cost for Carrboro to implement such a plan and how such a program would be implemented.

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## RESOLUTION REQUESTING OWASA TO ESTABLISH LOWER AVAILABILITY FEES FOR SMALLER HOMES

Alderman Dorosin requested that the town staff forward copies of the town's resolution requesting that OWASA establish lower availability fees for small homes to the Town of Chapel Hill, Orange County and UNC.

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#### **HIGHWAY 54 BYPASS CROSS WALK**

Alderman Spalt requested that the town staff further study the cross walk on Highway 54 Bypass to determine whether further improvements are needed. Alderman Spalt stated that the crosswalk doesn't appear to be complete.

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#### REQUEST FOR REVIEW OF SOCCER SYMPOSIUM REPORT

Alderman Spalt requested that the town staff review the Soccer Symposium Report to determine if the cost figures for construction of the Smith Middle School fields are correct.

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### **CARRBORO ZIP CODES**

Town Clerk

Alderman McDuffee requested a renewed effort to have all Carrboro addresses have Carrboro zip codes.
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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 9:20 P.M. VOTE: AFFIRMATIVE ALL
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Mayor