

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 2, 2001 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent:

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| Alderman | Diana McDuffee |
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POLICY ON PLACEMENT OF ART ON PUBLIC PROPERTY

Berkley Grimball, Chair of the Arts Committee, asked that a policy be established for placement of art on public property. Mr. Grimball asked that the Arts Committee be involved in establishing this policy.

Mayor Nelson asked that a letter from The Public Gallery of Carrboro offering the donation of three pieces of art be referred to the Arts Committee and the town staff for consideration.

The Board requested that the policy on art on public property be discussed by the Board.

REQUEST FOR REFUND OF BOND

Wallace Kuralt asked for a bond in the amount of \$4,000 be refunded to him. Mr. Kuralt stated that he would like to replace the mobile home on which roof improvements were to be made with a newer mobile home. Mr. Kuralt also asked that the town consider providing some type of pedestrian access along South Greensboro Street.

Chris Murphy, the town's Development Review Administrator, stated that the town was holding the bond until the Kuralts completed roof improvements on a mobile home located on their property. These roof improvements were necessary to bring the mobile home into compliance with the town's land use ordinance. Mr. Murphy stated that the Kuralts would like to have the bond refunded to use toward the purchase of the new mobile home that would meet the town's requirements. Mr. Murphy stated that he had suggested that the Kuralt's come before the Board to request that an arrangement be worked out whereby they would agree to remove the nonconforming structure within a certain number of days and replaced with a new structure that meets the land use ordinance requirements. After which, their bond could be refunded.

Mrs. Kuralt stated that she had been told that the Town of Carrboro would be considering revisions to the land use ordinance dealing with mobile homes.

MOTION WAS MADE BY ALEX ZAFRON AND SECONDED BY JOAL HALL BROUN TO AUTHORIZE THE TOWN STAFF TO ENTER INTO AN AGREEMENT WITH THE KURALTS TO REFUND THEIR \$4,000 BOND IF THE EXISTING MOBILE HOME IS REMOVED AND REPLACED WITH A MOBILE

HOME THAT MEETS THE TOWN'S LAND USE ORDINANCE REQUIREMENTS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE DECEMBER 12, 2000 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MID-NOVEMBER TO MID-DECEMBER 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 November 16 – December 15, 2000 was presented for the Board's review.

Alderman Broun requested information on the square footage/value of commercial space constructed during the past five years and the relationship of commercial space constructed to other types of development.

REQUEST TO APPROVE EQUIPMENT FINANCING

Through its capital improvement plan, the Board of Aldermen annually approves a schedule that provides for the purchase and replacement of vehicles and equipment through lease purchase financing. The Board of Aldermen was requested to adopt a resolution designating the installment purchase contracts for items listed below as tax-exempt obligations of the Town. The Board was also requested to approve a budget amendment adjusting lease payments and equipment budgets within departments affected by this financing proposal. Overall, the lease payments fall below budgeted amounts.

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

**RESOLUTION APPROVING FINANCING TERMS
Resolution No. 87/2000-2001**

WHEREAS: The Town of Carrboro (the "Town") has previously determined to undertake a project for the financing of fiber optic installation, new phone system, furniture and furnishings, and vehicles and equipment, and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated December 15, 2000. The amount financed shall not exceed \$519,549.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 5.02%, and the financing term shall not exceed fifty-nine (59) months from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the

proposal and this resolution. The Financing Documents shall include a Financing Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final form as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the taking or omission of which will cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 2nd day of January 2001:

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

Noes: None

Absent or Excused: Diana McDuffee

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2000-01 BUDGET ORDINANCE."
VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REQUEST TO ADOPT A BUDGET ORDINANCE APPROPRIATING FUND BALANCE TO PAY FOR REMAINING BALANCES ON PRIOR YEAR PROJECT EXPENDITURES

The Board was requested to approve a budget ordinance totaling \$103,831 that appropriates budgeted funds to cover costs of projects uncompleted in the prior year that are completed or scheduled for completion in this fiscal year. This amount represents contractual commitments that remained unperformed at the end of the year in FY99-2000.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2000-01 BUDGET ORDINANCE."
VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REQUEST TO ADOPT A BUDGET ORDINANCE TO ESTABLISH A PROJECT BUDGET FOR THE HILLSBOROUGH ROAD WIDENING PROJECT

The Board, at its September 12, 2000 meeting, approved a municipal agreement that specifies the Town's obligation to reimburse the North Carolina Department of Transportation for 30% of the total cost (\$27,856) of sidewalks along the east side of Hillsborough Road and the east side of Old Fayetteville Road. A project ordinance is needed to transfer funds from the Capital Reserve Fund and to establish a project budget for this commitment.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2000-01 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REQUEST TO SET A PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS ON HOUSING NEEDS IN CARRBORO

The purpose of this item was to request that the Board of Aldermen set a public hearing for January 23, 2001 to receive public comments on housing needs in the Town of Carrboro.

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

A RESOLUTION SETTING A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT
ON HOUSING NEEDS IN THE TOWN OF CARRBORO
Resolution No. 84/2000-01

WHEREAS, the staff is planning to prepare an application for 2001 CDBG funds; and

WHEREAS, the Board of Aldermen has expressed a desire to have staff solicit public comment on housing needs in the Town of Carrboro prior to the identification of a target area prior to the preparation of a grant application; and

WHEREAS, the staff has been notified that the N. C. Department of Commerce, Division of Community Assistance will be accepting applications in the spring.

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

Section 1. A public hearing is set for January 23, 2001 to receive public comments from non-profits and citizens on housing needs in the Town of Carrboro

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

2nd day of January, 2001:

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

Noes: None

Absent or Excused: Diana McDuffee

The Board requested that the advertisement for this public hearing be expanded to include postings at El Centro Latino, on city buses, in laundry mats, in churches, and in barbershops.

A REQUEST TO ADOPT A BUDGET ORDINANCE TO ACKNOWLEDGE DONATIONS FOR THE TOWN COMMONS BANDSTAND

On December 12, 2000 the Board of Aldermen received an anonymous donation toward construction of the Town Commons Bandstand. A budget amendment is required to appropriate funds to the Town Commons project budget.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2000-01 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

PUBLIC HEARING/VOLUNTARY ANNEXATION OF PHASE 4D OF THE LAKE HOGAN FARMS SUBDIVISION

The purpose of this item was to receive citizens' comments regarding a petition for the voluntary annexation of Phase 4D of the Lake Hogan Farms Subdivision.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK DOROSIN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK DOROSIN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING PHASE 4D – LAKE HOGAN FARMS SUBDIVISION." VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REPORT: NORTHERN STUDY AREA PARK DEVELOPMENT

Orange County has expressed an interest in acquiring land in Carrboro's Northern Study Area for use as a district park. The County is also working with the Chapel Hill-Carrboro City School Board to jointly locate a school near the park. A report on this matter in relation to the *Facilitated Small Area Plan for Carrboro's Northern Study Area* has been prepared and was presented for the Board's review.

Trish McGuire made the staff presentation.

The Board requested that the town staff draft a letter to the Orange County Board of Commissioners setting forth the following concerns about this matter:

- Loss of Housing Stock
- Co-Location of Public Works Facilities
- Increased density in other areas

- Reserve an area for a village-mixed use site

APPOINTMENT TO THE AGENDA PLANNING COMMITTEE

The Board of Aldermen was requested to make an appointment to the Agenda Planning Committee. Alderman Zaffron's term expired on December 31, 2000.

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

**A RESOLUTION MAKING AN APPOINTMENT
TO THE AGENDA PLANNING COMMITTEE
Resolution No. 85/2000-01**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen hereby appoints Alderman Mark Dorosin to the Agenda Planning Committee. This term shall expire on December 31, 2003.

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 2nd day of January, 2001:

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

Noes: None

Absent or Excused: Diana McDuffee

DISCUSSION OF THE ESTABLISHMENT OF AN EMPLOYEE RETENTION TASK FORCE AND PERSONNEL ISSUES

The purpose of this item was two-fold: 1) to receive direction from the Board of Aldermen regarding the establishment of an Employee Retention Task Force to review employee turnover and to recommend ways to retain town employees; and 2) to have the Board clarify the personnel items that are to be discussed at the February 20th work session.

Desiree White made the staff presentation.

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

**A RESOLUTION ESTABLISHING AN "EMPLOYEE RETENTION TASK FORCE"
AND CLARIFYING PERSONNEL ITEMS TO BE DISCUSSED
AT THE FEBRUARY 20TH WORK SESSION
Resolution No. 86/2000-01**

WHEREAS, the Board of Aldermen of the Town of Carrboro seeks to reduce employee turnover; and

WHEREAS, the Board desires to establish an Employee Retention Task Force that will make recommendations on how this may be accomplished.

THEREFORE, THE MAYOR AND BOARD OF ALDERMEN RESOLVE THE FOLLOWING:

Section 1. The Board authorizes the establishment of an Employee Retention Task Force.

Section 2. That the formal charge for the task force should include the following tasks:

- a. Review employee turnover rate and the reasons provided by employees for separation of employment.
- b. Recommend to the Board of Aldermen ways to retain employees.

Section 3. That the committee shall consist of three (3) Carrboro citizens and up to five (5) Town employees.

Section 4. This resolution shall become effective upon adoption.

BE IT ALSO RESOLVED that the Board of Aldermen requests that the following personnel items be discussed at the February 20th work session:

- Review of Employee Benefits
- Benefits Package from SAS
- Compression Problems
- Report from the Town of Chapel Hill ref. Compression
- Flat Amount Salary Increases
- How Carrboro's Turnover Rates Compare to Other Jurisdictions
- Benefits Package from Self-Help Credit Union

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 2nd day of January, 2001:

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

Noes: None

Absent or Excused: Diana McDuffee

REPORT ON DEVELOPMENT PLAN FOR THE HORACE WILLIAMS PROPERTY

On November 14, 2000, the Board of Aldermen discussed plans for the development of the Horace Williams property that had been recently released for public review. The Board requested a staff analysis of how the plan will affect the Town of Carrboro. An analysis of the available information was prepared and presented for the Board's review. The Administration recommended that the Board continue in its efforts to ensure that the

Town is able to participate with the Horace Williams Advisory Committee as it continues to prepare a plan for the Horace Williams property.

Trish McGuire made the presentation.

The Board listed the following items of concern about the development plan for the Horace Williams property:

- That the undesignated land be dedicated as open space (particularly the land on the western side of the creek)
- Housing (Will Carrboro receive property taxes? What services will be required from Carrboro?)
- UNC's plan for cleaning up the landfill and chemical sites.
- Clarification of UNC's plan for use of the property located adjacent to Lake Hogan Farms.
- The timetable for finalizing the development plan for the Horace Williams property.
- Access to the property and the affect of additional traffic on the quality of life for surrounding neighborhoods.
- Will co-op housing be considered by UNC?
- Carrboro would like to cooperate with UNC in using trains through Carrboro.

The Board requested that the Town Manager prepare a summary of the items of concern in preparation for the meeting with Chancellor Moeser.

CHAPEL HILL'S AQUATICS FORUM

Mayor Nelson asked what the Board's desire was as far as participation in Chapel Hill's forum on aquatics scheduled for January 29th. Mayor Nelson stated that he felt that Carrboro should discuss its aquatics needs prior to meeting with Chapel Hill on this matter.

It was the consensus of the Board not to officially participate in the forum, but suggested that the town's Recreation and Parks Commission members might wish to attend that forum.

STATUS REPORT ON REQUESTS FOR PROPOSALS FOR THE DOWNTOWN VISIONING PROCESS

Alderman Zaffron pointed out that the town staff had prepared a status report on the downtown visioning process. Proposals have been solicited from architectural groups with experience in performing downtown visioning processes and five responses were received. The Downtown Visioning Steering Committee will interview the companies who submitted proposals and make a recommendation to the Board.

CROSSWALK ON HIGHWAY 54 BYPASS

Alderman Zaffron stated that he had spoken with a NCDOT representative concerning the crosswalk on Highway 54 Bypass. According to NCDOT, the crosswalk is complete, but the representative stated that they would be open to adding additional signs at that location.

PROBLEMS WITH TIME WARNER

Alderman Gist expressed concern about the problems associated with Time Warner’s system upgrades.

Mr. Morgan stated that citizens having problems should contact the Town Manger’s Office.

REMOVAL OF HOLIDAY DECORATIONS

Alderman Spalt asked whether the town’s holiday decorations could remain up longer.

Mr. Morgan stated that it has been the town staff’s practice to remove the decorations prior to the New Year’s holiday.

REQUEST FROM THE PEOPLES CHANNEL

Mayor Nelson stated that the town had received a formal request from the Peoples Channel and asked that this request be forwarded to the Cable T.V. Committee and town staff for consideration.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION TO DISCUSS A PERSONNEL MATTER. VOTE: AFFIRMATIVE ALL

MERIT INCREASE FOR THE TOWN CLERK

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO GRANT THE TOWN CLERK A 5% MERIT INCREASE EFFECTIVE JANUARY 5, 2001. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY MARK DOROSIN TO ADJOURN THE MEETING AT 9:50 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

Mayor

Town Clerk

