

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 11, 2001 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
	John Herrera
	Diana McDuffee
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO APPROVE THE DECEMBER 3, 2001 MINUTES. VOTE: AFFIRMATIVE ALL

CONTINUATION OF PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST FOR THE MORGAN RIDGE TOWNHOME PROJECT

Mr. Glenn Phillips, with Ballentine Associates, PA, representing the Berryhill Group, LLC, has submitted an application for a Conditional Use Permit (CUP) to allow a major subdivision (Use 26.100) of multi-family townhomes (Use 1.321) at 501 Berryhill Drive. The request consists of an Architecturally Integrated Subdivision of sixty-four (64) multi-family townhome lots to be located 501 Berryhill Drive. The name for the project is Morgan Ridge. The Board of Aldermen began a public hearing on November 27, 2001 to receive input before reaching a decision on a conditional use permit application. The public hearing was continued to December 11, 2001. The Administration recommended that the Board continue the public hearing process, review, deliberate, and make a decision regarding the conditional use permit application.

Glenn Phillips stated that the developer is willing to construct the bridge as recommended by the Town's engineer.

Henry Wells, the Town's Engineer, stated that he and the developer had agreed that a bridge is needed and explained how the bridge would need to be constructed.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY MARK DOROSIN THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DIANA MCDUFFEE AND SECONDED BY JOHN HERRERA THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT IF THE APPLICANT IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Zoning Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect
3. That the developer donate to the Town of Carrboro all of the property on the north side of the Berryhill Drive Extension.
4. That the applicant incorporate a bridge into the road design at the crossing of Tom's Creek to aid pedestrians, bicyclists, and wildlife.
5. That no additions or interior renovations designed to increase the heated square footage of the size-limited units can be approved/completed within the first year following the issuance of the Certificate of Occupancy (CO) per Section 15-188(e). This statement must also be included on the recorded final plat and reference the applicable 'size-limited unit' lots.
6. That the developer not commence any land disturbance or development construction on the property prior to submitting the FEMA CLOMR application to the Town of Carrboro's Floodplain Administrator, Sungate Design, Inc., for review.
7. Upon submittal to FEMA of the CLOMR application by the Town of Carrboro's Floodplain Administrator, the developer shall be allowed to obtain building permits and commence townhome construction activities. However, until such time as the CLOMR or "No Impact Certification" is approved by FEMA, the developer shall be limited to obtaining no more than 32 townhome building permits and certificates of occupancy.
8. Upon receipt of the "No Impact Certification" from FEMA or approval of the CLOMR application, the developer shall be eligible to obtain building permits and certificates of occupancy for all units constructed and shall be allowed to commence construction of the bridge.
9. That a 404 National Wetlands Permit from the US Army Corp of Engineers and a 401 Water Quality Certification from NCDENR's Division of Water Quality be obtained by the developer prior to the construction plan approval.
10. That a voluntary annexation petition will be submitted to the Town of Carrboro by the developer prior to recording the final plat.
11. That the "Homeowners' Association Documents" be reviewed and approved by the Town Attorney prior to final plat approval, and that the documents contain provisions directly addressing the maintenance of the stormwater quality pond.
12. That the name of the project be changed to a name deemed 'acceptable' by the Orange County Emergency Management Services Department prior to construction plan approval.

13. That, contingent upon the acceptance of the project with the current location and number of units per the project proposal, the developer dedicate the floodplain to the Town of Carrboro as a greenway easement.
14. That the project plans retain the proposed extension of a public street between Old Fayetteville Road Extension and Berryhill Drive.
15. That where Morgan Creek connects with Tom's Creek, the Town of Carrboro should work with the developer to balance the preservation of the natural play area and the construction of the play field.
16. That the location of crosswalks should be shown at: (a) the entrances to the development off Berryhill Drive; and (b) where pedestrian pathways cross private roads within the development.
17. That two additional bike racks be included in the development and that they be located centrally near buildings.
18. That the developer stress the importance of abiding by town, county, federal and state environmental protection regulations in contracts with their subcontractors and as the bridge is being constructed, that the developer monitor compliance with those regulations to ensure the protection of the stream.
19. That the developer construct the bridge to an alignment recommended by the Town Engineer.
20. That the applicant complete the bridge within 18 months of FEMA approval of the plans with the understanding that the developer will have the right to request a 6-month extension to complete the bridge, which extension may be approved by the Town Manager.
21. That prior to final plat approval for the first phase, the developer shall post a bond to guarantee the construction of the bridge and road within the time specified in Condition #20.

The Board requested that the Town staff draft an ordinance to require three-way stops at the intersections between Berryhill Drive and the entrances to the subdivision.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO GRANT THE APPLICATION, SUBJECT TO THE FOREGOING CONDITIONS. VOTE: AFFIRMATIVE ALL

REQUEST TO ESTABLISH AN ADOPT-A-TOWN-STREET PROGRAM

The Mayor and Board of Aldermen were requested to consider establishing an "Adopt-A-Town Street" Program to support the Town's Public Works Department's litter abatement efforts.

Chris Peterson, the Town's Public Works Director, made the presentation.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Diana McDuffee.

A RESOLUTION ACCEPTING THE RECOMMENDATION TO ESTABLISH AN
 "ADOPT-A TOWN STREET" PROGRAM.
 Resolution No. 38/2001-02

WHEREAS, the Town of Carrboro recognizes the need and the desirability of litter-free and visually-improved streets; and

WHEREAS, the Adopt-A-Street Program has been established for community and civic organizations as well as for private businesses to contribute toward the effort of maintaining cleaner and more beautiful streets; and

WHEREAS, the volunteers are aware of the hazardous nature of the work which is to be performed and agrees to follow the safety requirements.

NOW THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen, that the Aldermen consider the Administration's recommendation to establish an "Adopt-A- Town Street Program".

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 11th day of December, 2001:

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

Noes: None

Absent or Excused: None

WORKSESSION: INFILL DEVELOPMENT

The Board of Aldermen has expressed an interest in exploring the benefits and limitations associated with infill development and has reviewed this matter on several occasions since March 2000. Following a review of related information in March 2001, the Board directed the Agenda Planning Committee to schedule a worksession. A resolution that provides an opportunity for the Board of Aldermen to specify its objectives regarding infill development was presented.

Trish McGuire, the Town's Planning Administrator, made the presentation.

Alderman Dorosin suggested that the affordable housing bonus be expanded to all zoning districts.

It was the consensus of the Board to request that the Town Attorney draft an ordinance to expand the affordable housing bonus provision to include all zoning districts with the exception of the watershed district.

Alderman Dorosin asked that the Town staff determine whether there is any property that could be down zoned to allow construction of affordable housing.

Alderman Gist requested that the Town staff examine hidden costs to the town for infill development.

Alderman McDuffee stated that she feels the Board needs to have discussions on its goals for recreation points in lieu, the impact of private roads, and screening and compatibility of uses.

Alderman Herrera suggested that the Land Use Ordinance be reviewed and modified to reflect the Board's goals for infill development.

Mayor Nelson suggested that the Town staff continue to work on those items previously referred to them and that the Agenda Planning Committee schedule worksessions on recreation issues in regard to infill, the impacts of the Downtown Visioning project (following completion of Dan Burton's report), the impacts of private roads

and screening. In addition, Mayor Nelson suggested that the Town staff evaluate downtown versus central versus outlying neighborhoods.

REPORT FROM THE COMPENSATION POLICY SUBCOMMITTEE

The purpose of this item was for the Mayor and Board of Aldermen to receive a report from the Compensation Subcommittee.

Alderman McDuffee made the following report:

PAY PLAN COMMITTEE INTERIM REPORT

After the initial committee report, the Board requested that the committee focus initially on three of the broad issues identified and to work on narrowing the specific information we will need from staff on those items. By way of review, the three broad categories selected for primary attention at this time are:

A) Compensate experience appropriately. Also discuss/review why this has not been the case in the past and implications (#1)

B) Evaluate the basic structural elements of the pay plan.

1. Simplify the pay plan. (#4)
 - a) Why are there so many steps?
 - b) What is the basis of relying on the mid-point, and how has doing so affected employee recruitment, retention, and morale?
2. How quickly should employees move through the plan? (#2)
3. Raises and Reclassifications
 - a. Examine types of raises (merit, COLA, market analysis) and their effects on recruitment, retention, compression, and fiscal feasibility of pay plan
 - b. Examine methods of giving raises (percentage, flat amount, bonus, base pay) and their effects on recruitment, retention, compression, and fiscal feasibility of pay plan.
 - c. Review living wage ordinance and related issues (temp workers, organizations that contract with the Town (#7)

C) Review Organizational/ Management Structure in the Pay Plan Context

1. Examine removing Dept.Heads from pay plan and moving to a specific, goal-oriented evaluation and merit pay system only (#3)
2. Support career development and mentoring (#9)
3. Review for duplication of functions, positions classifications and grades, and compensate appropriately (#10)

Item A: This was discussed in some detail during the last budget cycle. The Manager has indicated that, in light of the Board's concerns about this matter, all Department head would be given the power to consider and compensate experience when making hiring decisions and recommendations. The Board may wish to formalize this principle however, and an advantageous opportunity to do so ties in with the action recommended under Item C below.

Item B: Given the sweeping nature of this item the committee recommends first examining the questions of raises and reclassifications, specifically studying the relative costs and benefits of the types and methods of giving raises (3a and b). The committee proposes that it work with staff to look at comparative costs, fiscal and otherwise, of our past practice (partial implementation of the market study, plus COLA and merit raises) with other alternatives (e.g. full implementation of market study, with or without other salary increases). This analysis will help determine the most cost effective way to keep salaries consistent with the market. A second component of this analysis will look at whether our COLA increase in fact reflects the rate of inflation and also at the relative merits of a flat amount increase, a flat percentage increase and a sliding scale increase for COLA and merit raises.

Item C: The committee recommends further study of the removal of the Department Heads from the pay plan matrix. This will help more accurately reflect the impact of the salary adjustments for the general staff. In addition, it gives the manager and the board more flexibility in evaluating and considering the needs of specific departments.

Department heads would of course still be eligible to receive annual salary increases. They would not automatically receive the same across the board percentage as the entire staff however. Instead, each Department head would be individually evaluated by the manager on a set of specific criteria established by the manager and the board. These criteria could be a mixture of system wide goals for all departments and individualized goals specifically tailored to current identified needs within each department. Among the general goals could be the department's progress in hiring and properly compensating experienced employees (see item A). The manager would conduct the evaluations and base his decisions for salary increases on those evaluations. The manager's administration of this process would then be one of the factors to be considered by the Board in its evaluation of the manager.

In order to move this process along and to maximize staff time and resources, the committee recommends that it begin to work with staff on these items to develop the next level of details and information for Board review.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO AUTHORIZE THE COMPENSATION POLICY COMMITTEE TO WORK WITH THE TOWN STAFF TO DEVELOP THE NEXT LEVEL OF DETAILS AND INFORMATION FOR THE BOARD'S REVIEW. VOTE: AFFIRMATIVE ALL

APPOINTMENT OF MAYOR PRO TEM AND BOARD COMMITTEE ASSIGNMENTS

The following resolution was introduced by Alderman Mark Dorosin and duly seconded by Alderman Diana McDuffee.

A RESOLUTION APPOINTING THE MAYOR PRO TEM
AND MAKING BOARD OF ALDERMEN COMMITTEE ASSIGNMENTS
Resolution No. 76/2001-02

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

Section 1. Alderman Alex Zaffron is hereby appointed as Mayor Pro Tem.

Section 2. The following Board of Aldermen committee assignments are hereby made:

Agenda Planning Committee: Joal Hall Broun (12/2002)
Mark Dorosin (12/2003)

Alex Zaffron (12/2004)

Planning Board: Joal Broun

Cemetery Commission: Joal Broun

O.C. Economic Development Commission: Joal Broun

Hillsborough Road Park Committee: Jacquie Gist and Mark Dorosin

Environmental Advisory Board: Jacquie Gist

Human Services Commission: Jacquie Gist

Shaping Orange Steering Committee: Jacquie Gist

HOME Program Review Committee: Mark Dorosin

TAC: Alex Zaffron

TAC Alternate – Diana McDuffee

Downtown Development Commission: Alex Zaffron

Triangle J Delegate: Alex Zaffron

Triangle J alternate delegate: Joal Broun

Arts Committee: Mark Dorosin

Cable TV Committee: Mark Dorosin

Board of Adjustment: Mark Dorosin

TAB: Diana McDuffee

O.C. Schools and Land Use Committee : Diana McDuffee and John Herrera

Horace Williams Committee: Diana McDuffee and Mike Nelson

Friends of the Century Center: Mike Nelson

CCC: Mike Nelson

Appearance Commission: John Herrera

Recreation and Parks Commission: John Herrera

Animal Control Board of Appeals: John Herrera

Airport Advisory Committee: John Herrera

O.C. Solid Waste Management Board: Jacquie Gist (advertise for remaining position)

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 11th day of December, 2001:

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

Noes: None

Absent or Excused: None

SMITH LEVEL ROAD IMPROVEMENTS PROJECT

Mr. Morgan gave an update on last week's meeting with NCDOT ref. Smith Level Road. He stated that there would be a meeting with NCDOT staff to discuss this project on January 7th. Mayor Nelson, Alderman Zaffron, McDuffee and Herrera expressed an interest in attending that meeting.

APPOINTMENTS TO THE ADAMS PROPERTY PRESERVATION COMMITTEE

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman John Herrera.

A RESOLUTION MAKING APPOINTMENTS TO THE
ADAMS PROPERTY PRESERVATION COMMITTEE
Resolution No. 54/2001-02

WHEREAS, the Mayor and Board of Aldermen have established a committee whose charge will be to explore ways to preserve the Adams Tract; and

WHEREAS, this committee is to consist of two members of the Board of Aldermen, one representative from the Triangle Land Conservancy, one member of the Orange County Board of Commissioners or a designee, one member of the Recreation and Parks Commission, one representative from the Environmental Advisory Board, one member of the Chapel Hill Greenways Commission, and three citizen representatives; and

WHEREAS, the Town staff has advertised for the citizen representatives and notified the various groups of the Board's action to establish this committee; and

WHEREAS, responses have been received and reviewed by the Board of Aldermen's Subcommittee consisting of Mayor Nelson, Aldermen Broun and Gist.

NOW, THEREFORE, THE MAYOR AND BOARD OF ALDERMEN HEREBY RESOLVE:

Section 1. The following appointments are made to the Adams Property Preservation Committee:

GROUP	REPRESENTATIVE
Triangle Land Conservancy	Liz Rooks
Orange County Board of Commissioners	Rich Shaw
Recreation & Parks Commission	Boyd Blackburn
Environmental Advisory Board	John Gallagher
Chapel Hill Greenways Commission	Joe Herzenberg
At-Large Citizens	Gary Giles, Marty Mandell, Dave Gulick
Board of Aldermen	Mayor Michael Nelson, Alderman Gist

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 11th day of December, 2001:

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

Noes: None

Absent or Excused: None

Alderman Herrera suggested that a downtown business person serve on this committee.

TOWN MANAGER’S EVALUATION

Alderman Broun requested that Board members review the evaluation process from the City Hickory that she had provided in light of the Manager’s upcoming evaluation scheduled for January 8th.

Alderman Zaffron asked that Board members be provided with copies of the format previously used to evaluate the Town Manager.

HILLSBOROUGH ROAD IMPROVEMENTS PROJECT

Alderman McDuffee expressed concern about large holes along the sides of Hillsborough Road and requested a report on the timetable for repairing those holes.

BOARD ROOM PRESENTER

Alderman McDuffee requested that the overhead projector be set up before meetings begin.

AMENDMENT TO TRANSPORTATION IMPROVEMENT PLAN

Alderman Zaffron requested that the Board consider amending the TIP by adding the word "greenway" to Item #9.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO AMEND ITEM #9 TO INCLUDE THE WORD "GREENWAY". VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN AT 10:35 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk