

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 22, 2002 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

LAS FAMILIAS DEL PUEBLO RACE

Winkie LaForce thanked all those involved in the Las Familias del Pueblo Race that was held for the first time last year. Ms. LaForce extended her appreciation for the Police Department's cooperation with this race. Ms. LaForce donated to the Town of Carrboro one of the awards given out to the winners of the race.

REQUEST FOR REVIEW OF OPEN SPACE REQUIREMENTS IN THE WATERSHED ZONE

Sammy Martin asked for a review of whether the 40% open space requirement is needed in the watershed zoning district in light of other restraints.

It was the consensus of the Board to refer this matter to the town staff for analysis.

Alderman Gist requested that OWASA have input in this matter.

PEDESTRIAN SAFETY

Julian Cerrano suggested that the Town begin a public information campaign to educate the public about when pedestrians have the right-of-way, set up an avenue for pedestrians to report violations, and fine drivers for violations. He indicated particular problems at the Greensboro/Weaver Street, Greensboro/Main Street, and Main/Weaver Street intersections.

It was the consensus of the Board to refer the request for the public awareness campaign to the Transportation Advisory Board for consideration and to request that the Police Department prepare a report on this matter and step up enforcement of violations against pedestrians.

Mayor Nelson stated that he feels that there are problems with the walk signs at Weaver and Greensboro Street.

Alderman McDuffee stated that the traffic signals at Weaver and Main Street in front of Town Hall are configured in such a way that pedestrians are unable to determine whether they are red or green.

Alderman Gist stated that there are problems at the Franklin/Main/Merritt Mill Road intersection.

REQUESTS FROM NORTHERN TRANSITION AREA ADVISORY COMMITTEE

Jay Bryan, Chair of the Northern Transition Area Advisory Committee, stated that the Committee was requesting the following:

1. Expansion of the sampling of Bolin Creek to include additional sites north of the current sampling site; and
2. Establishment of a land use advisory committee to work with UNC on the development of the Horace Williams Tract.

Mr. Bryan requested that the Town consider designating a poet laureate.

It was the consensus of the Board to refer the request to designate a poet laureate to the Arts Committee for consideration and that the request for additional sampling in Bolin Creek be discussed during 2002-03 budget deliberations.

INTRODUCTION OF NEW ENVIRONMENTAL PLANNER

Mr. Morgan introduced Phil Prete, the Town's new Environmental Planner.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO APPROVE THE JANUARY 15, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

MID-DECEMBER TO MID-JANUARY ACTIVE PROJECTS REPORT

The Zoning Division of the Town of Carrboro 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 December 16, 2001 through January 15, 2002 was presented.

Alderman Gist requested that the town staff follow up with Orange County Erosion Control concerning the silt fence at Lake Hogan Farms.

Alderman Zaffron requested that the town staff contact Mr. David Branch, a resident of Alabama Avenue, concerning Morningstar Mini Storage's compliance with screening requirements.

Alderman Broun requested that the developer of the Penny Lane Subdivision have a second neighborhood meeting to address concerns about increased traffic.

REQUEST TO ADOPT A BUDGET ORDINANCE

The Board was requested to approve a transfer of \$2,000 from the Capital Reserve Fund to the General Fund to reimburse OWASA for providing public sewer to an existing residence within the corporate limits of the Town. In addition, the Board is requested to use funds appropriated in the General Fund (\$56,100) for public works construction projects to support two Public Works projects in the current year.

Alderman Dorosin asked for the balance in the capital reserve fund.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2001-02 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

REPORT FROM OWASA: CHANGES TO THE WATER CONSERVATION ORDINANCES

The Chair of the Orange Water and Sewer Authority Board of Directors requested an opportunity to present an overview of OWASA's proposed changes to the Water Conservation ordinances enforced by Carrboro, Chapel Hill and Orange County. Dr. Bernadette Pelissier, Chair of the OWASA Board of Directors, made the presentation.

Dr. Pelissier invited the Board to attend a presentation on January 24th on the comprehensive water and sewer master plan, and stated that OWASA would like to request that the Town adopt a water conservation ordinance by April 2002.

Susie Holloway, one of the Town's representatives on the OWASA Board of Directors, stated that the OWASA staff would like to have a more detailed discussion of this ordinance with the Board of Aldermen at a later date. She also expressed her interest in year-round water conservation.

Alderman Dorosin asked that a copy of the existing ordinance be provided to the Board of Aldermen when this item is scheduled for further Board discussion.

Alderman Broun asked for information on OWASA's plans to encourage the University in its expansions to use materials to reduce the use of water and the use of gray water.

REQUEST FOR FUNDING/INSTITUTE AND SCHOOL OF GOVERNMENT BUILDING FUND

The N.C. Association of County Commissioners and the N.C. League of Municipalities are requesting the Town's support for the Local Government Wing at the Institute and School of Government building fund. The Mayor and Board of Aldermen are requested to consider pledging funds in the amount of \$1,281 for this project.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman John Herrera.

A RESOLUTION APPROPRIATING FUNDS TO SUPPORT
THE INSTITUTE AND SCHOOL OF GOVERNMENT'S BUILDING FUND
Resolution No. 85/2001-02

WHEREAS, the N.C. League of Municipalities and the N.C. Association of County Commissioners launched the \$900,000 Local Government Wing campaign in 1999. Since then, 48 counties, 197 municipalities, and a number of individuals have contributed more than \$520,000 toward the goal. Funds raised by the campaign will help the school meet \$4 million in construction, furniture and equipment costs that are not covered by state or university appropriations; and

WHEREAS, until June 2003, a challenge grant from the Knapp Foundation of St. Michaels, Maryland, will match all gifts to the school's building fund up to a total of \$1 million; and

WHEREAS, the N.C. Association of County Commissioners and N.C. League of Municipalities are suggesting a one-time gift or pledge equal in the amount of the town's annual Institute dues, which was \$1,281.00 for the 2001-02 fiscal year.

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

Section 1. The Mayor and Board of Aldermen hereby approve the appropriation of \$1,281.00 from the contingency fund to support the Institute of Government Wing building fund.

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 22nd day of January, 2002:

Ayes: Jacquelyn Gist, John Herrera, Michael Nelson, Alex Zaffron

Noes: Joal Hall Broun, Mark Dorosin, Diana McDuffee

Absent or Excused: None

REVIEW AND APPROVAL: ENHANCEMENT AGREEMENTS FOR TEA-21 PROJECTS

TEA-21 Transportation Enhancement proposals for improvements to Old Fayetteville Road and South Greensboro Street sidewalks were approved by the North Carolina Department of Transportation in October 2000. Enhancement Agreements have been prepared. A resolution recommending that the Board of Aldermen authorize the Mayor to execute the Enhancement Agreements was recommended for the Board's approval.

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

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ENHANCEMENT
AGREEMENTS FOR TEA-21 PROJECTS
Resolution No. 86/2001-02

WHEREAS, enhancement projects for sidewalk improvements along South Greensboro Street and Old Fayetteville Road were approved for TEA-21 funding, and:

WHEREAS, enhancement agreements specifying the Town's and NCDOT's responsibility towards the completion of these projects have been prepared and submitted for Town approval.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board has reviewed the enhancement agreements for these projects and authorizes the Mayor to sign the agreements.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Board directs staff to reserve \$32,000 within the Capital Reserve fund, by reallocating street resurfacing reserves to a reserve for curb and gutter costs for E-4545.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 22nd day of January, 2002:

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

Noes: None

Absent or Excused: None

Alderman Gist requested that affected property owners be informed of the impact of these projects.

Alderman McDuffee asked that the intersection of Jones Ferry and Old Fayetteville Road be examined for pedestrian safety.

A motion was made by Alderman Diana McDuffee and seconded by Alderman John Herrera for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the Municipality has requested enhancement funding for the construction of sidewalks along the eastern side of Old Fayetteville Road from Jones Ferry Road intersection to Autumn Woods Apartments and from Carolina Spring Apartments to the Carrboro Plaza Park and Ride lot in Carrboro, North Carolina; and

WHEREAS, the Department of Transportation has programmed funding in the 2001-2006 Transportation Improvement program, as amended, for the construction of said sidewalks under project E-4545, Orange County; and

WHEREAS, the Municipality proposes to enter into an Agreement with the North Carolina Department of Transportation for said sidewalk construction as described in said Agreement; and

WHEREAS, under the proposed Agreement and subject to the Agreement provisions, the Department shall reimburse the municipality to the extent of eighty percent (80%) of the approved eligible costs covered under this Agreement up to the maximum federal award of \$73,035; and

WHEREAS, the Municipality shall be responsible for providing at least twenty percent (20%) matching funds and all costs that exceed the federal award of \$73,035.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for project E-4545 in Orange County is hereby formally approved by the Board of Aldermen of the Town of Carrboro and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the required Agreement between the Town of Carrboro and the Department of Transportation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 22nd day of January, 2002:

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

Noes: None

Absent or Excused: None

A motion was made by Alderman Diana McDuffee and seconded by Alderman John Herrera for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the Municipality has requested enhancement funding for the construction of a sidewalk along the eastern segment of South Greensboro Street between East Main Street and Roberson Street in Carrboro, North Carolina; and

WHEREAS, the Department of Transportation has programmed funding in 2001-2006 Transportation Improvement program, as amended, for the construction of said sidewalk under Project E-4544, Orange County; and

WHEREAS, the Municipality proposes to enter into an Agreement with the North Carolina Department of Transportation for said sidewalk construction as described in said Agreement; and

WHEREAS, under the proposed Agreement and subject to the Agreement provisions, the Department may not expend more than the maximum federal award of \$8,591, plus \$30,000 from DOT Small Urban Funds (Work Order No. 9.8070224) for the curb and gutter portion of this project, for a total Departmental participation of \$38,591; and

WHEREAS, the Municipality shall provide at least twenty percent (20%) matching funds toward the federal award of \$8,591 and all costs that exceed the total Departmental participation of \$38,591.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for Project E-4544 in Orange County is hereby formally approved by the Board of Aldermen of the Town of Carrboro and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the required Agreement between the Town of Carrboro and the Department of Transportation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 22nd day of January, 2002:

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

Noes: None

Absent or Excused: None

REQUEST TO COMBINE CABLE T.V. FRANCHISES

Mr. Morgan stated that the Town currently has two franchises with Time Warner and asked for permission to request that Time Warner combine these two franchises.

Alderman Dorosin stated that it was his impression that the new franchise ordinance combined the two franchises.

The Board requested that the Town staff draft a letter to Time Warner for the Board's review indicating that it is the town's understanding that the new franchise ordinance combined the two existing franchises.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO AJOURN THE MEETING TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE AND EVALUATION OF TOWN MANAGER. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk