

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 19, 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
Deputy Town Clerk	Richard White
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO APPROVE THE FEBRUARY 12, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO CLARIFY THAT LAND DEDICATIONS TO THE TOWN MAY RESULT IN INCONSISTENT SETBACK

The Board of Aldermen has requested, and the Willow Creek Office Park owners have agreed, to donate to the Town a floodplain area adjacent to Tom's Creek, and a plat and deed formalizing this offer of dedication have been prepared. This dedication will result in a new lot, the office building on which, will be inconsistent with setback requirements. A draft ordinance that addresses this issue has been prepared. A resolution that sets a public hearing for April 2nd was recommended for the Board's adoption.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE
TEXT AMENDMENT THAT WOULD CLARIFY THAT LAND DEDICATIONS
TO THE TOWN MAY RESULT IN INCONSISTENT SETBACKS
Resolution No. 96/2001-02**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on April 2, 2002 to consider adopting "An Ordinance Amending the Land Use Ordinance to Clarify that Land May be Dedicated to the Town Though Such Dedication Results in a Situation That is Not Consistent with Setback Requirements."

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board for comment and recommendations to the Board.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 19th day of February, 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 SET DATES FOR ASSEMBLY OF GOVERNMENTS AND JOINT PLANNING PUBLIC HEARING DATES

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

A RESOLUTION SETTING
ASSEMBLY OF GOVERNMENTS AND
JOINT PLANNING PUBLIC HEARING DATES FOR 2002
Resolution No. 97/2001-02

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

Section 1. The following meeting dates are hereby scheduled for the year 2002:

Assembly of Governments

Monday, April 29th
Wednesday, October 30th

Joint Planning Public Hearings

Wednesday, April 17th
Wednesday, October 9th

Section 2. A copy of this resolution shall be forwarded to the Orange County Board of Commissioners.

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 19th day of February, 2002:

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

Noes: None

Absent or Excused: None

WORKSESSION TO DISCUSS CHANGES TO THE WATER CONSERVATION ORDINANCE

The Board of Aldermen received a report from the Chair of the OWASA Board of Directors on January 22, 2002 regarding requested changes to the water conservation ordinances enforced by Carrboro, Chapel Hill and Orange County. The Board of Aldermen discussed the proposed water conservation ordinance.

Ed Holland and Dr. Bernadette Pelissier, representing OWASA, answered questions regarding the ordinance.

The Board requested that the Town Attorney draft language revising the draft ordinance:

- Change language in Section IV to state that the Mayor be “authorized” to issue a proclamation invoking the restrictions of the ordinance when informed by OWASA’s executive director that conditions described under Section II exist, rather than stating that the Mayor is “directed”.
- Delete “business” from Section V.
- Remove reference to criminal penalties for violations of the ordinance.

WORKSESSION WITH ADVISORY BOARD CHAIRS

The Board of Aldermen held a worksession with the chairs of the town’s advisory boards to discuss term limits, appointments, the size of boards and commissions, performance evaluation of the various boards, and orientation of advisory board members.

The following advisory board members were present:

Cynthia Liston, Downtown Development Commission
Richard Ellington, Board of Adjustment
Mike Mathews, Environmental Advisory Board
Lillie Atwater, Human Services Commission
Ben Grantham, Cemetery Commission
Doris Murrell, Recreation and Parks Commission
Wendy Wenck, Appearance Commission
Merrilie Brown, Environmental Advisory Board

Alderman McDuffee requested comments on filling positions on advisory boards such as how to recruit more applicants.

Mr. Ellington stated few females are on the Board of Adjustment. He has tried to recommend diverse applicants. He stated that it is better to appoint someone who wants to serve rather than beating the bushes to obtain applicants and them not really having their hearts in serving. He suggested that recruitment ads contain an explanation of committee responsibilities and that notices be placed on garbage cans indicating board vacancies.

Ms. Atwater stated that everyone does not have Internet access or take the newspaper. However, people need to know about committees, but she did not know how to accomplish this. She believes people want to participate, but do not know where to start.

Ms. Murrell stated that membership on the Recreation and Parks Commission has been stable until recently. She said that she has found members by talking to people and telling them about the commission. She stated that most who leave are aging or moving. She stated that it is important to have a full commission that will go out and do work. She stated that beating the bushes and ads are not working, but that the Town needs to find a way. She added that the commission has always worked toward diversity.

Ms. Liston stated that there are vacancies on Downtown Development Commission. She added that there have been few meetings because the commission has been involved with the visioning process. There are now a number of applications. There is a need to do more with diversity.

Alderman Dorosin asked if anyone had heard that residents have applied six or eight months ago, but were never contacted. He requested comments on the follow-up and communication breakdown after someone applies. He stated that once someone is lost, it is hard to get them back. He stated that applicants should be contacted when their application is received to explain the process and to invite them to the meetings.

Mr. Ellington said that sometimes applicants do not match the advertised category such as an ETJ representative. He agreed that chairs should contact applicants.

Alderman Zaffron questioned how the process works. He would like to know the dates applications are received and how letters are forwarded.

Ms. Liston stated that perhaps chairs should provide a status report to the Town Clerk when applicants are contacted, when they do not call back, or if the telephone number does not work.

Alderman Gist stated that when an application is received, the Town should send a card thanking the applicant for applying and explaining the appointment process.

Alderman McDuffee suggested that the upcoming orientation session include all advisory board members and stated that guidelines be established for chairs when making appointment recommendations.

Ms. Murrell stated that Recreation and Parks Commission members receive orientation through a professional organization. She stated that all committee members should attend training.

Ms. Brown stated that the Environmental Advisory Board is not diverse. She suggested having a table at the Farmers' Market and that the Town should go where people are by setting up tables and knocking on doors. Outreach is the answer.

Mr. Matthews asked what is involved in adjusting the size of the Environmental Advisory Board.

Mayor Nelson replied that the chair should send a letter to the Board of Aldermen requesting an increase.

Alderman Zaffron sought comments on the proposed training session.

Mr. Ellington stated that the agenda for the training session is a comprehensive list, especially the conducting effective meetings section.

Alderman Herrera thought it was a good idea to go out to communities. He stated the Fiesta del Pueblo festival is a good one to attend to encourage Latino representation.

Alderman Zaffron requested that Alderman McDuffee speak on board expectations or performance evaluations.

Alderman McDuffee stated that these were not her suggestions, but that there needs to be orientation sessions for members and chairs appointment guidelines should be established.

Alderman Dorosin suggested that there be ongoing rotation on advisory boards to help bring more people into process and ensure diversity.

Alderman Herrera asked the chairs how do they know if they are doing a good job.

Mr. Mathews responded that if the Board listens to the advisory boards.

Mr. Ellington suggested that Board of Aldermen liaisons could report to advisory boards, and that currently there is no way to rate performance.

Alderman Zaffron stated that communication is a two-way street. The Board will need to pay attention as well.

Mr. Ellington said that he was grateful when former Alderman Spalt attended meetings to give the Board of Aldermen's perspective on issues.

Ms. Murrell said that public input and if the Board listens are used to gage success. Chairs should bring new members up to speed.

Ms. Atwater stated that the Town should inform applicants of vacancies.

Alderman Dorosin asked the Chairs if they believe their participation is meaningful.

Alderman Zaffron asked what the Board of Aldermen needs to do.

Ms. Liston reiterated that communication is a two-way street and would appreciate a formalized process to know what is coming before the Board of Aldermen to which the Board may want advice.

Alderman Herrera asked if it would helpful to provide meeting facilitation training.

Mr. Ellington stated this his committee produced a brochure that explains the Board of Adjustment process.

Ms. Brown stated that she has no sense of what is expected from the EAB. There needs to be contact with the Board - perhaps a picnic once or twice a year to talk.

Ms. Wenck stated that she supports effective meetings/time management training.

Alderman McDuffee proposed the following action steps:

1. Provide meeting management training
2. Require all new members to attend the April orientation session, but invite all advisory board members
3. Rework vacancy and recruitment notices to be more friendly (less official looking)
4. Provide advisory board vacancy information at all festivals
5. Establish appointment recommendation guidelines

Alderman Gist requested that there be a follow-up discussion by the Board of Aldermen of advisory board issues.

Alderman Broun requested that the Board meet with committee chairs once a year.

Alderman Herrera asked what meeting procedures are used – Roberts Rules of Order? These rules should be included in the guidelines.

ORANGE COUNTY PARK BOND PROJECTS AND DRAFT POLICY STATEMENT ON USE OF COUNTY FUNDS FOR PARK PROJECTS

The Orange County Board of Commissioners has received from County staff a plan to fund capital projects over the next five years, inclusive of the recently approved Parks, Recreation and Open Space Bond. The Commissioners have asked each local government to comment on prioritization of projects that were included in the bond referendum that directly affects them. The Commissioners have also ask that the Board of Aldermen respond to a draft policy governing use of County funds for joint parks and open space projects. The purpose of this agenda item was to provide the Board of Aldermen an opportunity to prioritize bond projects directly affecting Carrboro and respond to the County’s draft policy statement on use of County funds for joint parks and open space projects.

Richard Kinney, the town’s Recreation and Parks Department Director, made the presentation.

Mayor Nelson stated that he wants the strongest case for open space money.

Alderman Dorosin stated that the Town should push for using the Land Legacy as a tool to purchase the Adams Tract.

Alderman McDuffee stated that the County could appoint the disbanded Soccer Task Force as an advisory group to recommend design and placement of soccer fields. Alderman Dorosin will bring this up at the Intergovernmental Park Work Group meeting.

The Mayor requested that the items in the priority list under Section 1 of the resolution be separated to reflect the following priority:

1. Smith Middle School/Park and the Soccer Superfund
2. Joint Town and County Open Space for Greenways (Adams Tract acquisition)
3. Land Acquisition for Future Parks, Nature Preserves (Adams Tract acquisition)
4. Chapel Hill Township Park/Educational Campus

Alderman Dorosin requested that 7b and c be deleted in Section 2 of the draft policy.

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

A RESOLUTION PRIORITIZING PROJECTS THAT WERE AUTHORIZED
IN THE ORANGE COUNTY 2001 PARKS AND OPEN SPACE BOND
PERTINENT TO THE TOWN OF CARRBORO AND AUTHORIZING
ALDERMEN MARK DOROSIN TO WORK WITH THE
INTERGOVERNMENTAL PARKS WORK GROUP
TO DEVELOP A MUTUALLY ACCEPTABLE POLICY
THAT WOULD INCLUDE APPROPRIATE COUNTY INPUT
AND OVERSIGHT FOR ANY PROJECT USING COUNTY FUNDS
Resolution No. 95/2001-02

WHEREAS, the Board appreciates and commends the spirit of cooperation shown by the Orange County Board of County Commissioners in developing Smith Middle School as a joint school-park and discussions of a Chapel Hill Township District Park and many other park initiatives in the County, and

WHEREAS, the recently approved County Bond Referendum further demonstrates a cooperative collaboration between all units of governments in Orange County toward park and recreation improvements, and

WHEREAS, the Board of Aldermen and the other governmental units in Orange County recognize that these efforts and the provision of these facilities improve upon the quality of life for all Orange County citizens.

Now, therefore, the Board of Aldermen resolves to authorize Alderman Dorosin to work with the Intergovernmental Parks Work Group to put forth the following project priority list and to develop a mutually acceptable policy on use of county funds for joint parks and open space projects:

Section 1. That the Board of Aldermen asks that the Board of Commissioners consider the following prioritization park projects included on the November 2001 Parks Bond Referendum.

1. Smith Middle School/Park and the Soccer Superfund
2. Joint Town and County Open Space for Greenways (Adams Tract acquisition)
3. Land Acquisition for Future Parks, Nature Preserves (Adams Tract acquisition)
4. Chapel Hill Township Park/Educational Campus

Section 2. That the Board further recommends consideration of changes to the draft policy that should include but not be limited to:

- ◆ This process should not be used for the County's 2001 Parks Bond and an acceptable alternative be agreed upon.
- ◆ That the matching funds (1:1) be more flexible to allow for a wider range of projects.
- ◆ That another method other than joint approval is developed to streamline the process and save time and dollars.
- ◆ Provide for County representation on architectural selection committee, but provide the Town with the ability to hire other consultants as needed.
- ◆ Delete provisions for direct and independent County oversight of project, or provide in a manner that does not increase consulting fees or extends project timelines.
- ◆ That 7(b) and (c) be deleted.

Section 3. That this resolution be forwarded to the Orange County Board of Commissioners.

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 19th day of February, 2002:

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

Noes: None

Absent or Excused: None

REPORT ON ICLEI NATIONAL TRAINING WORKSHOP

Alderman McDuffee made the presentation. She stated that the Town should engage energy providers to see what ways they are moving from fossil fuels.

Mayor Nelson suggested that Alderman McDuffee and Trish McGuire repeat this presentation for the EAB. The Board added conducting the emissions study to the resolution.

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

A RESOLUTION ACCEPTING THE REPORT ON THE 9TH ANNUAL CITIES FOR CLIMATE
PROTECTION PROGRAM –
U.S. NATIONAL TRAINING WORKSHOP
Resolution No. 99/2001-02

WHEREAS, the Town of Carrboro has, as a member of CCP since 2001, pledged to reduce greenhouse gas emissions and increase energy efficiency; and,

WHEREAS, the Cities for Climate Protection program periodically provides an opportunity for one staff member and one elected official to participate in a training workshop; and

WHEREAS, the 9th Annual CCP – U.S. National Training Workshop was held February 6-9, 2002 with representation by town staff and the Board of Aldermen who have provided a report on the workshop.

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

Section 1. The Board accepts the report and pledges its ongoing commitment to the CCP program.

Section 2. That the town staff proceeds with the emissions study inventory.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 19th day of February, 2002:

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

Noes: None

Absent or Excused: None

DISCUSSION OF OPTIONS TO ADDRESS THE GOVERNOR'S WITHDRAWAL OF REVENUES

Robert W. Morgan, Town Manager, made the presentation.

The Board asked the town staff provide information on the savings to the town if:

1. The town suspended all programs for which the town hires additional staff. (Break out by department)
2. Postponed the advisory board recognition dinner
3. Close parks for the remainder of the fiscal year
4. Suspend promised money to community groups
5. Postpone all music festivals – Carrboro Day, July 4, etc.
6. Streamlined Century Center operations

In addition, the Board asked for the following information:

1. What are the bare bones town functions (health, safety, and welfare of community) - brief explanation?
2. How low can fund balance go?
3. How will the town’s bond rating be affected by a reduction in the fund balance?
4. Analysis and review of revenue projections to look for additional savings.
5. Explore selling town land

Alderman Zaffron gave a report on the Metropolitan Coalition efforts. He stated that that group is analyzing the state budget and preparing recommendation for the Governor. He reported that a second committee is preparing legislative action to deal with the long term.

SOLID WASTE ADVISORY BOARD REPRESENTATIVE

The Manager stated that the Board needs to appoint a Solid Waste Advisory Board representative.

The Board requested that the position be advertised.

STORM WATER UTILITY

Mayor Nelson asked for a report on Chapel Hill’s effort to create a storm water utility that would include Carrboro.

COST OF RENTING CENTURY CENTER

Alderman Broun stated that she had received a call about the cost of renting the Century Center. She would like to know if there is a different price for rehearsal time and performance time.

GREENE TRACT MEETING

Alderman Zaffron announced that there is a meeting of the Greene Tract committee this Thursday at 5:00 p.m.

CITIZEN BUDGET COMMITTEE

Alderman Herrera stated that there is a need to reconvene the citizen budget committee and asked for a copy of the charge for this committee.

AIRPORT STUDY

Alderman McDuffee requested a copy of the airport study (Horace Williams Tract) and that staff keep up with developments and report to the Board.

NCDOT NEGOTIATION

Alderman Zaffron stated that the MPO begins NCDOT negotiation sessions tomorrow.

The Board asked Alderman Zaffron to emphasize these projects: pedestrian crossing at Highway 54; Lloyd/Broad Street light; and construction on Estes and Hillsborough Road

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO ADJOURN TO CLOSED SESSION AT 10:28 P.M TO DISCUSS LAND ACQUISITION. VOTE: AFFIRMATIVE

Deputy Town Clerk

Mayor