A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 23, 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

Alex Zaffron

Town Manager Robert W. Morgan
Town Clerk Sarah C. Williamson
Town Attorney Michael B. Brough

Absent:

Alderman Diana McDuffee

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROVE THE APRIL 16, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

MID-MARCH TO MID-APRIL 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 of March 16, 2002 through April 15, 2002 was presented.

AWARD OF CONTRACT FOR PLAYGROUND EQUIPMENT FOR WILSON AND ANDERSON PARKS

The purpose of this agenda item was to award a contract for playground equipment for Wilson and Anderson Parks to Cunningham Associates in the amount of \$97,400 and to authorize the administration to proceed with necessary site work and installation of the equipment.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION AWARDING THE CONTRACT FOR PLAYGROUND EQUIPMENT AT WILSON AND ANDERSON PARKS
Resolution No. 132/2001-02

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

Section 1. A contract is awarded to Cunningham Associates in the amount of \$97,400.

Section 2. The town administration is authorized to proceed with the necessary site work and installation of play equipment at Wilson and Anderson Parks.

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 23rd day of April, 2002:

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

Zaffron

Noes: None

Absent or Excused: Diana McDuffee

REQUEST TO INSTALL FENCING SURROUNDING THE LEASH FREE AREA AT ANDERSON COMMUNITY PARK

The purpose of this agenda item was to consider a request by the Carrboro Parks Project, a non-profit group formed to support recreation and park efforts in the Town of Carrboro, to fence the leash free area at Anderson Park. The administration concurred with the Recreation and Parks Commission's recommendation and recommended that the Board adopt a resolution authorizing the Carrboro Parks Group to install fencing surrounding the leash free area at Anderson Community Park.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION AUTHORIZING THE CARRBORO PARKS GROUP TO INSTALL FENCING SURROUNDING THE LEASH FREE AREA AT ANDERSON COMMUNITY PARK

Resolution No. 134/2001-02

WHEREAS, the Board appreciates and commends the spirit of support shown by the Carrboro Parks Project in raising funds and community awareness of the many needs in the public park and recreation program; and

WHEREAS, the need to fence in an area for the safety of dogs using the leash free area at Anderson Community Park is apparent.

NOW, THEREFORE, THE BOARD OF ALDERMEN RESOLVES:

Section 1. That the Board of Aldermen grants permission for Carrboro Parks Project to have professionally installed fencing per the diagram as presented in their proposal entitled "Anderson Community Park Dog Run Fencing Proposal; and

Section 2. That the Board further requests that the administration work with the principals of the Carrboro Parks Project and insure that the Town receives the right of final approval of all work and receives a copy of the final paid receipt for all work performed.

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 23rd day of April, 2002:

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

Zaffron

Noes: None

Absent or Excused: Diana McDuffee

AWARD OF CONTRACT TO THE PEOPLES CHANNEL FOR CABLE CASTING SERVICES

The purpose of this item was to award a contract to the Peoples Channel for cable casting services.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION AWARDING A CONTRACT TO THE PEOPLES CHANNEL Resolution No. 137/2001-02

NOW THEREFORE BE IT RESOLVED by the Carrboro Mayor and Board of Aldermen that the Board awards the cable casting service contract to the Peoples Channel for a cost of \$100 per meeting.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of April, 2002:

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

Zaffron

Noes: None

Absent or Excused: Diana McDuffee

PUBLIC HEARING/PUBLIC HEARING: LAND USE ORDINANCE AMENDMENT RELATING TO AFFORDABLE HOUSING PROVISIONS

The Board of Aldermen set a public hearing to receive comments on a draft ordinance that modifies the permitted locations for and applicable setbacks to projects utilizing the affordable housing density bonus. The Administration recommended that the Board of Aldermen adopt Sections 1 and 3 of the proposed ordinance

Trish McGuire, the town's Planning Administrator, made the staff presentation.

Mayor Nelson requested that the town staff develop literature explaining how land trusts work for distribution to developers.

Mark Chilton, with Empowerment, asked that this ordinance allow the developer to drop down to two-thirds the otherwise allowable minimum lot size. This ordinance should not require a 100-year period of affordability—40 years is enough to ensure that the public's interest has been served. Mr. Chilton suggested that the town should consider even stronger incentives to use the affordable housing density bonus. In addition, he suggested that the town should think more about accessory dwelling units as a source of additional affordable rental housing.

The Board requested that the town staff prepare information on the following:

- 1. A modification of the special exception provision that would allow affordable housing density bonus projects to request setback reductions.
- 2. A reduction in the minimum lot size to two-thirds using the affordable housing density bonus

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO CONTINUE THIS PUBLIC HEARING UNTIL MAY 14, 2002. AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

The Board expressed its desire to discuss further the provision of accessory dwelling units as a source of additional affordable rental housing units.

PRESENTATION OF THE MANAGER'S RECOMMENDED BUDGET FOR 2002-03

By state law, the Town Manager is responsible for submitting a balanced budget for the Carrboro community to the Mayor and Board of Aldermen by June 1st. Tonight, the Board was presented with the FY2002-03 Recommended Budget. The recommended budget was submitted earlier than required by law so that the Board and community have sufficient time to discuss the initiatives put forth in the budget.

Mr. Morgan presented the Manager's Recommended budget for Fiscal Year 2002-03.

Stacey Smith expressed concern about the increases in property values thus increasing the amount of taxes property owners have to pay. Ms. Smith suggested that the town look at alternative revenue sources to avoid tax increases.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO APPROVE THE FOLLOWING BUDGET REVIEW SCHEDULE:

Rudget Work Session

Tiluisuay, May 2	Dudget work Session
Tuesday, May 7	Public Hearing on FY2002-03 Recommended Budget
Thursday, May 23	Budget Work Session
Tuesday, May 28	Report to Board on recommendations for Human Services
Thursday, May 30	Budget Work Session
Tuesday, June 11	Board directs Town Manager to prepare final budget
Tuesday, June 25	Adoption of FY2002-03 Budget, Pay Plan, and Miscellaneous Fees and
	Charges Schedule

VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

Thursday May 2

A REQUEST TO APPROVE THE 2002 CONSOLIDATED HOUSING PLAN ANNUAL UPDATE AND THE PROPOSED HOME PROGRAM ACTIVITIES FOR 2002-03

The purpose of this item was for the Mayor and Board of Aldermen to consider adopting a resolution approving the 2002-2003 Consolidated Housing Plan Annual Update and the proposed HOME Program Activities for 2002-2003.

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

A RESOLUTION APPROVING THE 2002-2003 CONSOLIDATED HOUSING PLAN ANNUAL UPDATE AND THE ORANGE COUNTY 2002-2003 HOME PROGRAM DESIGN Resolution No. 136/2001-02

BE IT RESOLVED, by the Carrboro Board of Aldermen, as a member of the Orange County HOME Consortium, to approve the following activities for the 2002-2003 HOME Program:

TOTAL PROGRAM FUNDS	\$ 663,217
Program Administration	\$48,100
Funds would be allocated to Empowerment to provide up to 10 deferred second mortgages to first-time homebuyers with incomes below 80% of median income.	\$100,000
Funds would be allocated to Orange Community Housing and Land Trust to provide down-payment assistance for up to 22 newly constructed homes in two planned subdivisions in Chapel Hill. Eligible families would be first-time homebuyers with incomes below 80% of median income.	\$ 77,000
Homebuyer Assistance Funds would be allocated to Habitat for Humanity to provide three (3) deferred second mortgages to first-time homebuyers with incomes below 80% of median income	\$40,000
Funds would be allocated to the Town of Chapel Hill to assist the Town Department of Housing purchase one dwelling unit to provide transitional housing for a public housing family transitioning to permanent housing.	\$28,117
Funds would be allocated to the Community Revitalization Loan Program to support the purchase, rehabilitation, and resale of housing to eligible first-time homebuyers.	\$100,000
Funds would be allocated to Affordable Rentals, Inc. to assist in the purchase of a duplex rental unit on McMasters Street in Carrboro for lease to low income families with incomes at 50% and below of median income.	\$70,000
Funds would be allocated to Residential Services, Inc. to purchase an existing home for adults with autism.	\$75,000
Property Acquisition Funds would be used to assist the Orange-Person-Chatham Mental Health Agency acquire, and if necessary, rehabilitate houses in Orange County for rental occupancy by County residents with disabilities.	\$75,000
New Construction Funds would be allocated to Habitat for Humanity, an approved Community Housing Organization (CHDO), to assist in the construction of 12 detached single-family dwellings and 6 rental units on Rusch Road in Chapel Hill.	\$50,000
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BE IT FURTHER RESOLVED that the Orange County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of April, 2002:

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

Noes: None

Absent or Excused: Diana McDuffee

A REQUEST FOR THE BOARD TO RECEIVE A REPORT ON THE FEASIBILITY OF IMPLEMENTING USER FEES FOR DUMPSTER COLLECTION SERVICES PROVIDED BY THE TOWN

The Board of Aldermen, at their regular board meeting of February 12, 2002, requested that staff proceed with a study to levy a dumpster collection fee and to provide baseline data on what is being collected and the costs of providing dumpster collection services. A report analyzing dumpster collection fees was presented for Board review.

Bing Roenigk, the town's Assistant Town Manager, made the staff presentation.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman John Herrera.

A RESOLUTION ACCEPTING THE REPORT ON COSTS OF DUMPSTER COLLECTION SERVICES AND FEASIBILITY OF IMPLEMENTING A USER FEE Resolution No. 138/2001-02

WHEREAS, the Carrboro Board of Aldermen has received the dumpster collection fee analysis and report; and

WHEREAS, the Aldermen were asked to consider a future work session or public hearing requesting input from the community regarding implementation of a user fee for dumpster collection services; and

NOW THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

- Section 1: That the Board accepts the dumpster collection fee report.
- Section 2: That the town staff schedule an informational meeting with affected business owners.
- Section 3. That a public hearing be scheduled for June 4th to receive public comment on this proposal.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of April, 2002:

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

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Noes: None

Absent or Excused: Diana McDuffee

DEFINITION OF GROUP HOME

Mike Brough stated that the town staff would be bringing a definition of group home to the Board for consideration in the near future.

RECYCLING CENTER

Mr. Morgan informed the Board that the Carrboro Plaza recycling center is now open.

SCHOOLS ADEQUATE PUBLIC FACILITIES ORDINANCE

Mayor Nelson requested that the town staff bring back the Schools Adequate Public Facilities Ordinance for the Board's discussion on May 14th.

REVIEW OF ANIMAL CONTROL ORDINANCE

Mayor Nelson requested that the town staff review the animal control ordinance to determine whether it addresses problems with pit bulls.

EL DILEMA LATINO PUBLIC FORUM

Alderman Herrera announced the El Dilema Latino public forum being sponsored by <u>The Chapel Hill News</u> and El Centro Latino on May 1st at the ArtsCenter at 7:00 p.m.

LETTER TO JUVENTINO ROSAS, MEXICO

Alderman Herrera stated that he had drafted a letter Juventino Tosas, Mexico for the Mayor's review. He said that he would make Mayor's Nelson's suggestions for revisions and forward the letter to the Mayor's office for execution

TEAMING UP FOR THE ARC SOFTBALL GAME

Alderman Dorosin stated that he and Alderman Broun had participated with town staff in the April 20th "Teaming Up For the Arc" softball game. Alderman Dorosin thanked Annette Rogers on the town staff for her assistance in organizing the town's participation in this event.

APPOINTMENT TO ORANGE COMMUNITY HOUSING AND LAND TRUST

Alderman Dorosin stated that Shirley Marshall's term on the Orange Community Housing and Land Trust has expired and suggested that Alderman Zaffron be appointed to serve as the town's representative on that board.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO APPOINTMENT ALDERMAN ALEX ZAFFRON. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

REQUEST FOR SAFETY IMPROVEMENTS/CARRBORO PLAZA PEDESTRIAN CROSSING

Alderman Broun requested that the town staff request that NCDOT revisit the crosswalk at Highway 54 and Main Street at Carrboro Plaza to improve pedestrian safety.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JOHN HERRERA TO ADJOURN TO CLOSED SESSION AT 10:20 P.M. TO DISCUSS A PERSONNEL MATTER. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN TO OPEN SESSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (MCDUFFEE)

MERIT INCREASE FOR THE TOWN MANAGER

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO GRANT THE TOWN MANAGER A 2 ½% MERIT INCREASE, RETROACTIVE TO JANUARY 1, 2002. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (BROUN, DOROSIN), ABSENT ONE (MCDUFFEE)

	-	Moyor
		Mayor
	-	
Town Clerk		

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