

A regular meeting of the Carrboro Board of Aldermen was held on Thursday, December 12, 2002 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Jacquelyn Gist
	John Herrera
	Diana McDuffee
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	John Herrera
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DECEMBER ICE STORM

Mayor Nelson thanked the town staff for their hard work during last week's ice storm. The Board requested that the Town Manager forward a memorandum to the Governor's task force reviewing the storm damage indicating how things could have been handled differently, including things that worked well.

CERTIFICATE OF APPRECIATION

Mayor Nelson presented a certificate of appreciation to Earleen Burch for her service to the Town while serving on the Human Services Commission.

APPROVAL OF DECEMBER 3, 2002 MINUTES

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE DECEMBER 3, 2002 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

REQUEST TO SET A PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO REVISE APPENDIX I

References to stormwater management are currently found in Section 15-263 and Appendix I of the Land Use Ordinance. Staff has determined that a revision to Appendix I is necessary in order for stormwater management requirements to be consistent and a draft ordinance has been prepared. A resolution setting a public hearing for on the proposed change and referring the draft ordinance to the Planning Board and Orange County was recommended for the Board's adoption.

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

A RESOLUTION SETTING A PUBLIC HEARING ON A LAND USE ORDINANCE
TEXT AMENDMENT RELATING TO THE STORM DRAINAGE DESIGN MANUAL
Resolution No. 62/2002-03

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

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that a public hearing be set for January 21, 2002 on a draft ordinance, that it 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 12th day of December, 2002:

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

Noes: None

Absent or Excused: John Herrera

ACCEPTANCE OF BPW CLUB ROAD AND PARKER AVENUE AS TOWN MAINTAINED STREETS

The Conditional Use Permit (CUP) that was granted on April 16, 1985 for the Highland Hills Apartments indicated that, within the development, both BPW Club Road extension and the newly created Parker Avenue Street were to be public streets. A 'right of way and easement map' was recorded, (Plat Book 47, Page 122) at the Orange County Register of Deeds Office on June 5, 1987. The recorded map does indicate that both aforementioned streets are public, and the recording of the map does amount to a formal offer of dedication of right of way. These two streets meet the town's construction specification standards. The Board of Aldermen was requested to adopt a resolution accepting these streets as part of the town's public street system.

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

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF BPW CLUB ROAD EXTENSION
AND PARKER AVENUE AS TOWN MAINTAINED STREETS.
Resolution No. 63/2002-03

WHEREAS, the Conditional Use Permit granted on April 16, 1985 indicated that both BPW Club Road extension and Parker Street were to be public streets, and

WHEREAS, the recorded right of way and easement maps indicate that both streets are public, and

WHEREAS, these streets meet the town's construction specification standards,

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

That BPW Club Road extension and Parker Avenue Street be accepted as part of the town's public street system.

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 12th day of December, 2002:

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

Noes: None

Absent or Excused: John Herrera

REQUEST TO ADOPT A RESOLUTION CHANGING BANK SIGNATURE AUTHORIZATION

With the impending departure of the Town Manager, Robert W. Morgan, the signatures on town checks and drafts must be changed. GS 159-25(b) requires all checks to be signed by the finance officer or a properly designated deputy finance officer and countersigned by another official of the local government or public authority designated for this purpose by the governing board. The Local Government Commission recommends adopting a resolution authorizing specific positions (rather than persons) to serve as the designated official. Currently, the authorized signatures are person-specific versus position-specific. The Board, by adopting this resolution, will enable the Town Clerk to certify the names and signatures of the designated officers to banks, when changes in positions occur.

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

**A RESOLUTION DESIGNATING BANK DEPOSITORY AS A CENTRAL DEPOSITORY
Resolution No. 64/2002-03**

Be it resolved by the Board of Aldermen of the Town of Carrboro, that:

WHEREAS, the finance officer of this unit shall be and is hereby authorized and directed to deposit funds of the Town of Carrboro in Bank of America, in the name and to the credit of the Town of Carrboro. Bank of America, therefore, is hereby designated as an official depository and as the City's central depository.

WHEREAS, all checks, drafts, or orders of this unit drawn against said funds shall be signed by one of the following officers: finance officer, assistant accounting officer, and countersigned by the following officer: Town Manager.

WHEREAS, the names and signatures of the officers designated shall be duly certified by the clerk to the board to said depository as from time to time may be necessary and no check, draft, or order drawn against said depository shall be valid unless so signed.

WHEREAS, the said depository shall be required to submit to this unit a surety bond and/or such other collateral securities as may be required by law. The said depository shall be given written instructions that the proceeds from all checks payable to the order of this unit be deposited to the credit of this unit and that under no circumstance may an item be converted into cash.

Certified copies of this resolution shall be forwarded to the depository herein designated.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 12th day of December, 2002:

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

Noes: None

Absent or Excused: John Herrera

PETITION TO PAVE QUAIL ROOST DRIVE

The purpose of this agenda item was to inform the Mayor and Board of Aldermen that the Town has received a petition requesting that Quail Roost Drive from the Hillsborough Road Improvement Project to twenty feet past the lot line of 210 Quail Roost Drive be paved. The administration recommended that the Board defer action to undertake this paving project at this time and consider the project during FY 2003-04 budget deliberations.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO ACCEPT THE REPORT FROM THE PUBLIC WORKS DIRECTOR. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

REPORT ON THE ACTIVITIES OF THE ORANGE COUNTY SOLID WASTE ADVISORY BOARD

The Orange County Solid Waste Advisory Board has been charged with reviewing the Comprehensive Solid Waste Management Plan and various alternatives to financing continued implementation of the plan. The Advisory Board is scheduled to make recommendations to the County Commissioners by the end of November or early December. The Carrboro appointees to the Advisory Board were scheduled to present a brief report on the status of that process to the Board of Aldermen for discussion and feedback.

This agenda item was delayed until January 14, 2003.

REVIEW AND DISCUSSION OF CONCERNS PERTAINING TO PIT BULL TYPE DOGS

On September 24th, the Mayor and Board of Aldermen requested an opportunity to further review and discuss concerns pertaining to animal breeds. The town staff presented additional information for the Board's consideration.

Amanda Stipe, the town's Animal Control Officer, answered the Board's questions.

It was the consensus of the Board to request that the town staff:

- Begin a public education program about pets;
- Work with the schools to teach children about how to deal with animals;
- Prepare a brochure outlining the responsibilities of pet owners (this brochure should be distributed and placed on the town's website)
- Ask for assistance from the group seeking funding for the Anderson Park dog fence.

A REQUEST TO ADOPT AN ORDINANCE AMENDING THE TOWN CODE TO PROHIBIT LOITERING IN THE TOWN COMMONS, CENTURY CENTER, TOWN PARKING LOTS AND BUS SHELTERS

Police and Chapel Hill Transit personnel have noticed increased loitering at town bus stop shelters since the advent of fare-free bus service. Generally, persons loitering have no specific intention to ride the bus. Chapel

Hill Transit personnel and citizens who legitimately use the bus shelters while waiting for the bus have asked Police Officers to remove loiterers from the bus shelters. Currently, we have no specific authority to prohibit loitering at town bus stop shelters. This proposed Ordinance amends the current Ordinance simply by adding the Century Center, Town Commons, town-owned or leased parking lots, and town bus stop shelters to the list of other Town of Carrboro property upon which loitering is prohibited (including the Town Hall, Police or Fire station, and Public Works building).

Capt. Daryl Caldwell answered the Board's questions.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO PROHIBIT LOITERING IN THE TOWN COMMONS, CENTURY CENTER, TOWN PARKING LOTS AND BUS SHELTERS." VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (GIST, BROUN, DOROSIN), ABSENT ONE (HERRERA)

The Board requested that this matter be placed on the December 17th for a second vote.

Alderman Broun and Gist will organize a meeting of mental health professionals, police department representatives, substance abuse professionals, representatives from the shelter and Chapel Hill Police Department social workers to discuss ways of dealing with people who are loitering.

DRAFT 2004-2010 STATE TRANSPORTATION IMPROVEMENT PROGRAM

At its November 12, 2002 meeting, the Board of Aldermen reviewed the draft 2004-2010 State Transportation Improvement program and requested that the project descriptions for projects in Carrboro be reviewed and revised as necessary to more accurately reflect what the Town desires. A resolution was presented for the Board's adoption.

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

A RESOLUTION PROVIDING COMMENTS ON THE DRAFT
2004-2010 TRANSPORTATION IMPROVEMENT PROGRAM
Resolution No. 66/2002-03

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review regional transportation policy, and;

WHEREAS, the N.C. Department of Transportation and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization are currently preparing the 2004-2010 Transportation Improvement Program.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen provides comments to the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization and to the N.C. Department of Transportation.

1. The text description in the 2004-2010 TIP for the following projects in Carrboro's planning area should be changed as shown:
 - E-4008 – Roberson Place Bikepath; Rand Road to Wesley Street. Construct Bicycle Path.

- E-4545 – Old Fayetteville Road, Jones Ferry Road to Autumn Woods Apartments and Carolina Spring Apartments and Carolina Spring Apartments to Carrboro Plaza Park and Ride Lot. Construct sidewalk along east side.
- E-4710 – Seawell School Road Improvements, Homestead Road and Estes Drive. Provide sidewalks and a four-foot shoulder section for bike lanes.
- U-2803 – SR 1919 (Smith Level Road), Rock Haven Road to Bridge No. 88. Widen to include bike lanes and sidewalks on both sides of the road.
- U-2805 – SR 1777 (Homestead Road), SR 1834 (High School Road) to NC 86. Widen to three lanes with bike lanes and sidewalks on both sides of the road.
- U-2909 – SR 1780 (Estes Drive), SR 1772 (Greensboro Street) TO NC 86. Widen to include bikelanes and sidewalks on both sides of the road.
- U-3100B – SR 1107 (Old Fayetteville Road), SR 1009 (Hillsborough Road to NC 54). Widen to include bike lanes and sidewalks on both sides of the road.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 12th day of December, 2002:

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

Noes: None

Absent or Excused: John Herrera

A REPORT ON THE FEASIBILITY OF IMPLEMENTING USER FEES FOR RESIDENTIAL ROLLOUT CONTAINER AND RESIDENTIAL DUMPSTER COLLECTION SERVICES

The Board of Aldermen during the month of June 2002, held two public hearings on service fees for dumpster and rollout containers. At that time, staff identified several options for billing and collecting solid waste user fees. The Board requested that staff develop a recommended user fee structure and billing system for residential dumpster and rollout container service. Staff has prepared a preliminary report analyzing the feasibility of and the options for implementing this solid waste user fee.

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

Chris Peterson, the town’s Public Works Director, answered the Board’s questions about using a bag or sticker program.

The Board directed the town staff to:

- a. Continue discussions with Orange County
- b. Prepare an analysis of pay as you throw
- c. Provide a list of previous issues identified (pay as you throw, stay where we are, etc.)
- d. Provide a further analysis of bag type system
- e. Prepare an analysis of who is being hit and who is being missed in each system
- f. Prepare an analysis of start up costs.

JOINT MEETING REGARDING WATER CONSERVATION ORDINANCES

Mayor Nelson stated that OWASA has invited the Board of Aldermen to participate in a joint meeting on January 16, 2003 to discuss proposed improvements to the water conservation ordinances. Orange County, Chapel Hill, and OWASA will be participants in this joint meeting.

It was the consensus of the Board to participate in this joint meeting.

REQUEST TO DRAFT A SMART GROWTH MATRIX

It was the consensus of the Board to request that the Planning Board draft a smart growth matrix.

CHAPEL HILL TOWNSHIP PARK

Alderman McDuffee requested that the Board discuss Chapel Hill’s Township Park with a recommendation from the Recreation and Parks Commission.

Mayor Nelson requested that this item be included on the January 14th Board of Aldermen agenda.

CONCERN ABOUT VEHICLES RUNNING CAUTION LIGHTS

Alderman Gist expressed concern about drivers running caution lights and requested that the Board discuss this matter.

It was the consensus of the Board that Alderman Gist contact the police department to request stepped up monitoring at intersections of concern.

CLOSED SESSION

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION TO DISCUSS AN OPTION TO PURCHASE PROPERTY AND A PERSONNEL MATTER. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

SALARY FOR INTERIM DEPUTY MANAGER

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO GRANT BING ROENIGK A 10% SALARY INCREASE EFFECTIVE ON DECEMBER 31, 2002 DURING THE TIME SHE WILL BE SERVING AS INTERIM DEPUTY MANAGER. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

Mayor

Town Clerk