

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 24, 2003 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 (arrived at 8:00 p.m.) |
| | Diana McDuffee |
| | Alex Zaffron |
| Interim Town Manager/ | Michael B. Brough |
| Town Attorney | |
| Town Clerk | Sarah C. Williamson |

NEEDS ASSESSMENT OF LATINO COMMUNITY

Nina Yamanis, a UNC School of Public Health graduate student, presented a report on the findings of the community forum with Latinos. She stated that Mayor Nelson had stated that the report on the process for the needs assessment and findings would be placed on the town's website.

Alderman McDuffee requested that a copy of the report be forwarded to Chapel Hill Transit.

PROCLAMATION ISSUED

Mayor Nelson announced that he had proclaimed the month of July as Recreation and Parks Month in the Town of Carrboro.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO APPROVE THE JUNE 17, 2003 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

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 May 16, 2003 through June 15, 2003 was presented.

AWARD OF BID: WESTBROOK DRIVE STORMWATER PROJECT

The purpose of this agenda item was to award a contract for the Westbrook Drive Drainage Improvement Project. The administration recommended that the contract be awarded to Hannah Utilities Inc. in the amount of \$113,150.

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

A RESOLUTION AWARDING A CONTRACT
FOR THE WESTBROOK DRIVE DRAINAGE IMPROVEMENT PROJECT
Resolution No. 195/2002-03

BE IT RESOLVED by the Board of Alderman:

Section 1. A contract is awarded to Hannah Utilities, Inc. in the amount of \$113,150 for the Westbrook Drive drainage improvement project.

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 24th day of June, 2003:

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

Noes: None

Absent or Excused: John Herrera

BUDGET AMENDMENT: RESERVE OF FUND BALANCE

The Town has identified several projects totaling \$13,992 within the FY2002-03 general fund budget whereby funds approved by the Board have not been spent but will be needed when the projects are brought to fruition and a vendor is identified to purchase the service or item. The funds, if not spent or reserved for next year, will lapse to undesignated fund balance within the General Fund on June 30, 2003. The Board was requested to set aside these funds for the upcoming year by designating fund balance for appropriation when needed in the upcoming fiscal year.

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

A RESOLUTION RESERVING FUND BALANCE
Resolution No. 194/2002-03

WHEREAS, the Town Manager, Michael B. Brough, has described to the Board the desirability of adopting a resolution to reserve fund balance for the following projects:

BE IT RESOLVED by the Board of Aldermen that fund balance be reserved to fund the following items:

RESERVED FUND BALANCE FOR INCOMPLETE PROJECTS OR EXPENDITURES

| PROJECTS | DEPARTMENT | COST |
|--|------------------------|----------------|
| Dog Fence | Recreation | \$8,500 |
| Unspent Building Renovation Funds | Fire Department | \$5,422 |

| | | |
|---------------------------|--|--------------------|
| | | |
| | | |
| TOTAL GENERAL FUND | | \$13,922.00 |

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of June, 2003:

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

Noes: None

Absent or Excused: John Herrera

REQUEST TO SET A PUBLIC HEARING: STREET CLOSING REQUEST FOR THE LA FAMILIAS DEL PUEBLO ROAD RACE

El Pueblo Inc. has submitted a Street Closing Permit Application for the temporary closing of several town streets from 8:00 a.m. to 9:15 a.m. on Saturday, September 20, 2003 to accommodate the La Familias del Pueblo Road Race. In accordance with Section 7-19 of the Town Code, a Public Hearing must be held to receive public input prior to issuing a Street Closing Permit. A resolution setting a public hearing for August 26, 2003 was presented.

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

A RESOLUTION SETTING A PUBLIC HEARING
 TO CONSIDER A STREET CLOSING REQUEST
 Resolution No. 188/2002-03

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that August 26, 2003 at 7:30 p.m. is hereby set as the date for a public hearing on the request that the streets listed be closed from 8:00 a.m. to 9:15 a.m. to accommodate the La Familias del Pueblo Road Race

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of June, 2003:

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: ADDENDUM TO THE JOINT PLANNING AGREEMENT TO EXTEND THE ANNEXATION PROVISIONS OF THE AGREEMENT AN ADDITIONAL TWENTY YEARS

On October 9, 2002, the three parties to a Joint Orange County Planning Agreement held a public hearing on an addendum to extend the annexation provisions of the Joint Planning Agreement an additional twenty years. The

Administration recommended that the Board of Aldermen adopt a resolution that authorizes the Mayor to execute such an addendum.

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

**A RESOLUTION AUTHORIZING AN ADDENDUM TO THE JOINT PLANNING AGREEMENT
TO EXTEND THE ANNEXATION PROVISIONS OF THE AGREEMENT
AN ADDITIONAL TWENTY YEARS**

Resolution No. 186/2002-03

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro entered into a Joint Planning Agreement, dated September 22, 1987, as amended; and

WHEREAS, Orange County, Chapel Hill, and Carrboro have worked cooperatively since the adoption of the Joint Planning Agreement on matters related to annexation, as specified in the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Town of Carrboro Board of Aldermen that the Aldermen authorize the Mayor to execute, on behalf of the Town, the addendum to the Joint Planning Agreement contained in Exhibit A to this resolution, thereby extending the annexation provisions of the Joint Planning Agreement twenty years from the date of the execution of the addendum.

This resolution shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill and Carrboro.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of June, 2003:

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

Noes: None

Absent or Excused: John Herrera

A REQUEST TO ADOPT A BUDGET ORDINANCE

The Board was requested to approve a budget amendment to pay for additional expenses associated with interviewing six candidates for the Town Manager position.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2002-03 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

UPDATE ON THE STATUS OF THE ROBERSON PLACE BIKEPATH

Planning for the Roberson Place Bikepath has been underway for several years. The Town Engineer recently provided a cost estimate for construction of the bikepath. The purpose of this item was to provide an update on

the status of the bikepath and to request that funds be set aside for the construction of this project.

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

A RESOLUTION TO RESERVE FUNDS WITHIN THE CAPITAL RESERVE FUND FOR
CONSTRUCTION OF THE ROBerson PLACE BIKEPATH
Resolution No. 185/2002-03

WHEREAS, the conditional use permit (CUP) for the Roberson Place development provides for a 20-foot easement for a bikepath between Rand Road and Wesley Street on a new location, and;

WHEREAS, the cost estimate for construction of the bikepath is \$157,179.51, and;

WHEREAS, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization has tentatively approved the appropriation of \$45,600 of Federal STP-DA funds to this project, which requires a 20 percent local match.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen direct staff to reserve \$11,400 within the Capital Reserve fund for the construction of the Roberson Place Bikepath.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of June, 2003:

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

Noes: None

Absent or Excused: John Herrera

REPORT ON TRIANGLE REGION TRANSIT CONSOLIDATION/IMPLEMENTATION PLAN

On March 21, the Triangle J Council of Governments announced that it had launched an effort to develop a plan for consolidating local and regional transit systems in the Triangle. Mr. Sanford Cross, Project Consultant, and other members of the consultant team made a presentation to the Board of Aldermen on the consolidation plan.

Sanford Cross with Triangle J COG and Scott Baker with AECOM Consult, made the presentation.

[Alderman Herrera arrived at the meeting.]

Alderman McDuffee suggested that that the Public Transit Committee should have been involved with this study.

Mayor Nelson stated that not bringing in all of the Chapel Hill Transit partners was a mistake and suggested that a letter be sent to the Chapel Hill Mayor stating the town's interest in this process and stating that Carrboro expects to be involved in future discussions and decisions about this matter. He stated that he would not like to see Chapel Hill and Carrboro in this regional plan at this time.

Alderman Gist stated that this study is a discussion that should have been held prior to this time.

Alderman Zaffron expressed concern that Carrboro has not been included in these discussions from the beginning.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO AUTHORIZE MAYOR NELSON TO SEND A LETTER TO THE TOWN OF CHAPEL HILL EXPRESSING THE TOWN'S INTEREST AND EXPECTATION TO BE INCLUDED IN FUTURE DISCUSSIONS AND DECISIONS REGARDING THE TRIANGLE REGION TRANSIT CONSOLIDATION/IMPLEMENTATION PLAN. VOTE: AFFIRMATIVE ALL

CONTINUATION OF PUBLIC HEARING: PACIFICA ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT

This was a continuation of the June 3, 2003 public hearing on the Pacifica conditional use permit request. This project is a major subdivision on the property located at the eastern terminus of Hanna Street. The subdivision includes town homes, apartments, and single-family detached residences. The development contains a total of 46 dwelling units.

Jeff Kleaveland, one of the town's Planning/Zoning Development Specialists, made the presentation.

Giles Blunden discussed sharing the cost of installing the sidewalk along Hanna Street.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BROUN)

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT IF THE APPLICATION 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 Development Review 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.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY DIANA MCDUFFEE THAT THE CONTINUED AFFORDABILITY OF THE UNITS (LOTS 5,8,13,16,20, 27 AND 29) MUST BE SPECIFIED IN THE HOMEOWNER'S ASSOCIATION DOCUMENTS PER THE PROVISIONS OF SECTION 15-182.4 OF THE CARRBORO LAND USE ORDINANCE. THE MANAGEMENT OF THESE UNITS WILL BE GIVEN TO ORANGE COUNTY COMMUNITY HOUSING AND LAND TRUST OR THE TOWN AT THE TIME THE CERTIFICATE OF OCCUPANCY IS ISSUED. THESE DOCUMENTS MUST BE APPROVED BY THE TOWN ATTORNEY PRIOR TO CONSTRUCTION PLAN APPROVAL. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT CERTIFICATES OF OCCUPANCY FOR EACH OF THE SIX BONUS 'MARKET'RATE' UNITS MAY NOT BE ISSUED UNTIL SUCH TIME AS THE CORRESPONDING AFFORDABLE UNIT (LOTS 5,8,13,16,20,27 AND 29) IS CONSTRUCTED AND OFFERED FOR SALE OR RENT FOR AN AMOUNT CONSISTENT WITH THE LANGUAGE FOUND IN SECTION 15-182.4 OF THE CARRBORO LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT NO ADDITIONS OR INTERIOR RENOVATIONS DESIGNED TO INCREASE THE HEATED SQUARE FOOTAGE OF THE SIZE-RESTRICTED UNITS (LOTS 1,5,6,13,16,19,21,24,27,28,29 AND 32) CAN BE APPROVED/COMPLETED WITHIN THE FIRST YEAR FOLLOWING THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY (CO) PER SECTION 15-188(E) OF THE CARRBORO LAND USE ORDINANCE. THIS STATEMENT MUST ALSO BE INCLUDED ON THE RECORDED FINAL PLAT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT STREETS BE ALLOWED TO REMAIN PRIVATE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (ZAFFRON)

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE BOARD HEREBY ALLOWS A DEVIATION FROM THE PARKING REQUIREMENTS OF SECTION 15-291(G) OF THE CARRBORO LAND USE ORDINANCE, FINDING THAT 75 SPACES ARE SUFFICIENT TO SERVE THE PACIFICA DEVELOPMENT. PER SECTION 15-292(A) OF THE CARRBORO LAND USE ORDINANCE, THE BOARD MAKES THIS FINDING BASED ON EVIDENCE SUBMITTED BY THE APPLICANT MENTIONING THE DEVELOPMENT'S DEMOGRAPHIC, CLOSE PROXIMITY TO BUS STOPS AND THE CENTRAL BUSINESS DISTRICT AND THE CONSIDERABLE BICYCLE ACCOMMODATIONS PROVIDED ONSITE AS REFERENCED IN ATTACHMENTS L AND M OF THE STAFF REPORT. IN ADDITION, THAT THE ELEVEN (11) WESTERN PARKING SPACES OF THE 23-SPACE AUXILLIARY PARKING AREA BE ELIMINATED AND THAT AN EMERGENCY-ONLY ACCESS DRIVE BE PROVIDED TO THE PROPERTY FROM WATTERS ROAD. THIS DRIVE IS TO INCLUDE A COLLAPSIBLE BOLLARD AND AN "ALL-WEATHER" TRAVEL SURFACE SUBJECT TO THE TOWN'S APPROVAL. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BROUN, GIST)

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT THE APPLICANT MODIFY THE HOMEOWNER'S ASSOCIATION DOCUMENTS TO INCLUDE A NOTICE TO PROSPECTIVE RESIDENTS DISCLOSING THE TERMS OF THE ABOVE-MENTIONED PARKING DEVIATION. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT THE APPLICANT OBTAIN A PERMIT FROM NCDEHR/DEH PUBLIC WATER SUPPLY SECTION AUTHORIZING THE OPERATION OF PACIFICA'S PRIVATE WATER DISTRIBUTION SYSTEM PRIOR TO CONSTRUCTION PLAN APPROVAL. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT FIRE FLOW CALCULATIONS AND BUILDING-SPRINKLER DESIGN MUST BE SUBMITTED AND APPROVED BY THE TOWN ENGINEER AND TOWN FIRE DEPARTMENT PRIOR TO CONSTRUCTION PLAN APPROVAL. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE APPLICANT PROVIDE THE ZONING DIVISION, PRIOR TO THE RECORDATION OF THE FINAL PLAT FOR THE PROJECT OR BEFORE THE RELEASE OF A BOND IF SOME FEATURES ARE NOT

YET IN PLACE AT THE TIME OF THE RECORDING OF THE FINAL PLAT, MYLAR AND DIGITAL AS-BUILTS FOR THE STORMWATER FEATURES OF THE PROJECT. DIGITAL AS-BUILTS SHALL BE IN DXF FORMAT AND SHALL INCLUDE A BASE MAP OF THE WHOLE PROJECT AND ALL SEPARATE PLAN SHEETS. AS-BUILT DXF FILES SHALL INCLUDE ALL LAYERS OR TABLES CONTAINING STORM DRAINAGE FEATURES. STORM DRAINAGE FEATURES WILL BE CLEARLY DELINEATED IN A DATA TABLE. THE DATA WILL BE TIED TO HORIZONTAL CONTROLS. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE DEVELOPER SHALL INCLUDE A DETAILED STORMWATER SYSTEM MAINTENANCE PLAN, SPECIFYING RESPONSIBLE ENTITY AND SCHEDULE. THE PLAN SHALL INCLUDE SCHEDULED MAINTENANCE ACTIVITIES FOR EACH UNIT IN THE DEVELOPMENT, (INCLUDING CISTERNS, BIORETENTION AREAS, SWALES, CHECK DAMS, AND IRRIGATION POND), PERFORMANCE EVALUATION PROTOCOL, AND FREQUENCY OF SELF-REPORTING REQUIREMENTS (INCLUDING A PROPOSED SELF-REPORTING FORM) ON MAINTENANCE AND PERFORMANCE. THE PLAN AND SUPPORTING DOCUMENTATION SHALL BE SUBMITTED TO THE TOWN ENGINEER AND ENVIRONMENTAL PLANNER FOR APPROVAL PRIOR TO CONSTRUCTION PLAN APPROVAL. UPON APPROVAL, THE PLANS SHALL BE INCLUDED IN THE HOMEOWNER'S ASSOCIATION DOCUMENTATION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE AFFORDABLE HOUSING UNITS CONFORM TO THE TOWN'S RECOMMENDED "VILLAGE MIXED USE AND AFFORDABLE HOUSING VERNACULAR ARCHITCTURAL STANDARDS" PER SECTION 15-182.4 OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE DEVELOPER SHALL REIMBURSE THE TOWN OF CARRBORO FOR 50% OF THE COST OF DESIGNING AND INSTALLING AN INTEGRAL POUR SIDEWALK ON THE LOW SIDE OF HANNA STREET EXTENDING FROM THE PACIFICA PROPERTY TO THE INTERSECTION WITH NORTH GREENSBORO STREET. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (GIST, BROUN)

MOTION WAS MADE BY JOAL HALL BROUN THAT THE NUMBER OF VEHICLES BE LIMITED TO 30 WITHIN THE DEVELOPMENT. MOTION DIED FOR THE LACK OF A SECOND.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT THE DEVELOPER PREPARE AN OPEN SPACE MANAGEMENT PLAN TO BE SUBMITTED WITH THE CONSTRUCTIONS PLANS TO BE INCLUDED AS PART OF THE HOMEOWNER'S ASSOCIATION DOCUMENTS. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE PRIVATE FIRE LANE ACCESS WAYS REMAIN FREE OF OBSTRUCTIONS DURING AND AFTER CONSTRUCTION TO ENSURE THE ONGOING SAFETY OF THE RESIDENTS OF THE DEVELOPMENT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY MARK DOROSIN THAT THE APPLICATION IS GRANTED, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BROUN, GIST)

LAND USE ORDINANCE TEXT AMENDMENT TO REQUIRE THAT THE ADEQUACY OF PUBLIC SCHOOL FACILITIES TO ACCOMMODATE NEW DEVELOPMENT BE CONSIDERED IN THE APPROVAL PROCESS AND THE SCHOOLS ADEQUATE PUBLIC FACILITIES MEMORANDUM OF UNDERSTANDING

The Board of Aldermen received public comment on the following documents and considered their adoption:

1. An amendment to the Carrboro Land Use Ordinance entitled “*AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE THAT THE ADEQUACY OF PUBLIC SCHOOL FACILITIES TO ACCOMMODATE NEW DEVELOPMENT BE CONSIDERED IN THE APPROVAL PROCESS*”;
2. The Schools Adequate Public Facilities Memorandum of Understanding (MOU); and
3. An Addendum to Schools Adequate Public Facilities Memorandum of Understanding.

Roy Williford, the town’s Planning Director, made the presentation. He pointed out that additional revisions to the MOU, Addendum to the MOU, and SAPFO ordinance had been received from the County.

James Carnahan expressed concern about the proposed ordinance and memo of understanding for the following reasons: 1) SAPFO affects only new construction, so it will not necessarily prevent overcrowding; 2) two kinds of housing we want will be put at risk by the adoption of SAPFO: affordable housing for our workforce, and housing in the downtown; 3) there is no way to be certain now that the necessary middle school will be built in a timely fashion; 4) the ordinance involves staff time from both the Town and the school system and makes the approval process both more time-consuming and more costly; and 5) classroom overcrowding and/or housing students in temporary facilities are not as much planning problems as they are design problems.

Virginia Knapp, with the Chamber of Commerce, stated that SAPFO will not address school overcrowding.

Nick Johnson, with the Durham-Chapel Hill Home Builders Association, stated that he does not feel SAPFO will address school overcrowding.

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

A RESOLUTION ADOPTING
THE ADEQUATE PUBLIC SCHOOL FACILITIES
MEMORANDUM OF UNDERSTANDING
AND THE ADDENDUM TO THE SCHOOLS
ADEQUATE PUBLIC FACILITIES MEMORANDUM OF UNDERSTANDING
Resolution No. 199/2002-03

WHEREAS, the Town of Carrboro, through its representation on the Orange County Schools and Land Use Council, has been working cooperatively with the Town of Chapel Hill, the Town of Hillsborough, Orange County, the Chapel Hill/Carrboro School District and the Orange County School District to create a policy and an ordinance that will promote a balance among anticipated student enrollment and school capacity;

WHEREAS, adequate schools support the high quality of education that serves as a linchpin to the quality of life throughout Orange County;

WHEREAS, the Attorneys/Planning Directors/School Administrators (APS) Work Group as requested by the Orange County Schools and Land Use Council, worked over the past several years to develop an Adequate Public School Facilities Memorandum of Understanding and Ordinance;

WHEREAS, the Orange County Schools and Land Use Council has unanimously recommended approval of an Adequate Public School Facilities Memorandum of Understanding and model Ordinance;

WHEREAS, school membership within the high school level in the Chapel Hill-Carrboro City School District for the 2004-2005 school year is projected to exceed 110% of building capacity; and

WHEREAS, it is anticipated that the third high school in the Chapel Hill-Carrboro City School District will be completed and high school students will begin attending this school when the 2006-2007 school year begins; and

WHEREAS, the Addendum to the MOU allows the Chapel Hill-Carrboro City School District to issue CAPS without regard to the 110% capacity limitation until high school students begin attending high school number three.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. The SCHOOLS ADEQUATE PUBLIC FACILITIES MEMORANDUM OF UNDERSTANDING and the ADDENDUM TO SCHOOLS ADEQUATE PUBLIC FACILITIES MEMORANDUM OF UNDERSTANDING are hereby adopted, as amended; and
2. The Mayor is hereby authorized to sign the "Schools Adequate Public Facilities Memorandum of Understanding" and the "Addendum to Schools Adequate Public Facilities Memorandum of Understanding", as amended.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of June, 2003:

Ayes: Joal Hall Broun, John Herrera, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: Mark Dorosin, Jacquelyn Gist

Absent or Excused: None

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE THAT THE ADEQUACY OF PUBLIC SCHOOL FACILITIES TO ACCOMMODATE NEW DEVELOPMENT BE CONSIDERED IN THE APPROVAL PROCESS," AS AMENDED. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (DOROSIN, GIST)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN THAT IN MARCH OF EACH YEAR, THE BOARD OF ALDERMEN CONDUCT AN ANNUAL REVIEW OF THE SAPFO ORDINANCE, THE MEMORANDUM OF UNDERSTANDING AND ORANGE COUNTY'S CIP TO MAKE A DETERMINATION AS TO THE TOWN OF CARRBORO'S CONTINUED PARTICIPATION. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

PUBLIC HEARING: TEMPORARY STREET CLOSING FOR THE FOUR ON THE FOURTH ROAD RACE

Cardinal Track Club has submitted a street closing permit application for the temporary closing of the following streets from 8:00 a.m. to 9:00 a.m. on Friday, July 4, 2003 to accommodate the Four on the Fourth Road Race:

Old Fayetteville Road, Carol Street, Lorraine Street, Hillsborough Road, West Main Street, and James Street. The administration recommended approval of the request with conditions.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF TOWN TREETS
TO ACCOMMODATE THE *FOUR ON THE FOURTH ROAD RACE*
Resolution No. 196/2002-03

Section 1. The following streets shall be temporarily closed Friday, July 4, 2003 from 8:00 am to 9:00 am to accommodate the *Four on the Fourth Road Race*. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

1. Old Fayetteville Road
2. Carol Street
3. Lorraine Street
4. Hillsborough Road
5. West Main Street
6. James Street

Section 2. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 1 of this resolution.

Section 4. The Event Coordinator will be responsible for notifying Central Communications when the streets are closed and when they are reopened to vehicular traffic.

Section 5. The applicant will not be required to distribute flyers of notification to persons occupying property abutting the streets where the event is to take place.

Section 6. The applicant is responsible for all costs incurred by the Police and Public Works Departments to facilitate this event. The town staff will send an itemized bill for the final costs to the applicant.

Section 7. 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 24th day of June, 2003:

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

Noes: None

Absent or Excused: None

ADOPTION OF THE 2003-04 BUDGET

By state law, the Board must approve a balanced budget for the Carrboro community by July 1 of every year. The purpose of this agenda item was to present the FY2003-04 budget ordinance that incorporates the changes directed by the Board of Aldermen on June 10th and sets the budget for the upcoming fiscal year. The Adopted Budget also incorporates adjustments to the town's pay plan and various fees within the fee schedule. The Board formally acknowledges these changes by approving a resolution adopting the 2003-04 Pay Plan and adopting the 2003-04 Miscellaneous Fees and Charges Schedule. In addition, the Board was requested to approve a reimbursement resolution identifying all equipment and vehicles scheduled for lease purchase financing in the upcoming year. The resolution will enable the Management Services to procure these goods in a timely manner and to finance the items with more accurate cost estimates at a later date.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DIANA MCDUFFEE TO LEAVE FUNDS IN THE 2003-04 BUDGET TO PROVIDE BUS SERVICE TO CHAPEL HILL HIGH SHOOOL, BUT THAT THESE FUNDS NOT BE EXPENDED UNTIL THE DETAILS FOR THIS SERVICE ARE WORKED OUT. VOTE: AFFIRMATIVE SIX, NEG. ONE (DOROSIN)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO INCLUDE \$5,000 IN THE 2003-04 BUDGET TO PLANT A LANDSCAPE BUFFER AROUND THE PERIMETER OF THE FUTURE PUBLIC WORKS FACILITY. VOTE: AFFIRMATIVE ALL

Alderman Herrera requested that the Board develop criteria for human service funding priorities, review how agencies are using funds, and whether agencies are meeting the goals of the Town.

Mayor Nelson requested that the town staff schedule a Board discussion of this matter.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO DELETE THE POOL CAR FROM THE BUDGET. VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE (DOROSIN, NELSON, MCDUFFEE, GIST, HERRERA)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADOPT THE 2003-04 ANNUAL BUDGET ORDINANCE. VOTE: AFFIRMATIVE ALL

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

A RESOLUTION ADOPTING THE CLASSIFICATION AND PAY PLAN FOR FISCAL YEAR 2003-2004 Resolution No. 197/2002-03

WHEREAS, the Board of Aldermen adopts a comprehensive Position Classification and Pay Plan each year in conjunction with adopting an annual budget ordinance; and

WHEREAS, the town staff has prepared the 2003-2004 Pay Plan.

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

Section 1. The Pay Plan, dated July 1, 2003 – June 30, 2004, a copy of which is attached to this resolution, is hereby adopted as the official Pay Plan for the 2003- 2004 fiscal year.

Section 2. All previously adopted versions of the Classification and Pay Plans, which conflict with this resolution, are hereby repealed.

Section 3. The pay adjustments approved for the FY2003-2004 budget shall become effective on the pay period beginning July 3.

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 24th day of June 2003:

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

Noes: Alex Zaffron

Absent or Excused: None

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADOPT THE MISCELLANEOUS FEES AND CHARGES SCHEDULE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO APPROVE THE 2003-04 HUMAN SERVICES COMMISSION RECOMMENDATIONS BASED ON THE \$109,000 ALLOCATION. VOTE: AFFIRMATIVE ALL

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

REIMBURSEMENT RESOLUTION
Resolution No. 198/2002-03

WHEREAS, the Interim Town Manager, Michael B. Brough, has described to the Board the desirability of adopting a resolution as provided under federal tax law to facilitate the town's use of financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase installment financing.

BE IT RESOLVED by the Board of Aldermen as follows:

Section 1. The equipment and vehicles to be purchased in FY2003-04 include the following:

| Department | Item | Estimated Cost |
|----------------------------------|----------------------------|-----------------------|
| Police Patrol | 4 Patrol Vehicles | \$ 89,240 |
| Police – Administration | 1 Vehicle | \$ 28,000 |
| Fire Department – Safety Mgmt | 1 Vehicle | \$ 17,460 |
| Public Works – Solid Waste | Side Loader Refuse Truck | \$185,000 |
| Public Works – Fleet Maintenance | Pool Car | \$ 17,460 |
| Public Works-Landscaping | Dump Truck | \$ 50,000 |
| Public Works –Landscaping | Pickup Truck | \$ 24,200 |
| Recreation | Ball Field Lights | \$ 78,750 |
| Management Svcs – IT | Fleet Maintenance Software | \$ 39,750 |
| Management Svcs – IT | Recreation Software | \$ 36,600 |
| Public Works – Streets | Quail Hollow Street Paving | \$ 78,000 |

| | | |
|----------------------|--|--------------|
| Total Lease Purchase | | \$644,460.00 |
|----------------------|--|--------------|

Section 2. The expected type of financing (which may be subject to change) for the items above is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20. The currently expected maximum amount of obligations to be issued or contracted for the items is \$644,460.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for the aforementioned items are intended to be reimbursed from the financing proceeds up to an amount of \$644,460.

Section 4. The adoption of this resolution is intended as a declaration of the town's official intent to reimburse project expenditures from financing proceeds.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of June, 2003:

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

Noes: None

Absent or Excused: None

TOWN CLERK'S SALARY

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOHN HERRERA TO INCREASE THE TOWN CLERK'S SALARY BY 3 ½ %, EFFECTIVE THE FIRST PAY PERIOD IN JULY 2003. VOTE: AFFIRMATIVE ALL

TOWN ATTORNEY'S CONTRACT

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO APPROVE THE TOWN ATTORNEY'S CONTRACT FOR FISCAL YEAR 2003-04 IN THE AMOUNT OF \$86,189. VOTE: AFFIRMATIVE ALL

LETTER OF SUPPORT FOR ICLEI

Alderman McDuffee stated that the International Council for Local Environmental Initiatives (ICLEI) has requested a direct appropriation for funding from Congress for FY 2004 to support the services of the Cities for Climate Protection Campaign. ICLEI is requesting letters of support be sent to Congress from member cities and towns in support of this request.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JOHN HERRERA TO AUTHORIZE MAYOR NELSON TO FORWARD A LETTER OF SUPPORT TO CONGRESS. VOTE: AFFIRMATIVE ALL

ANNOUNCEMENT BY ALDERMAN DOROSIN

Alderman Dorosin announced that he would not be seeking re-election in 2003.

WELCOMING RECEPTIONS FOR THE NEW TOWN MANAGER

Alderman Gist and McDuffee volunteered to serve on a committee to plan welcoming receptions for Steve Stewart.

CLOSED SESSION

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION TO DISCUSS PROPERTY ACQUISITION AND A PERSONNEL MATTER AT 11:27 P.M. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 12:15 A.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk