A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 19, 2003 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
Interim Town Manager/	Michael B. Brough
Town Attorney	
Town Clerk	Sarah C. Williamson

Absent:

Alderman

Mark Dorosin

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE JUNE 24, 2003 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

REVIEW AND APPROVAL: ENHANCEMENT AGREEMENTS FOR CARR COURT AND JONES FERRY SIDEWALK CONSTRUCTION PROJECTS

In 2002, the N.C. Department of Transportation (NCDOT) approved the Town of Carrboro's requests for transportation enhancement funding to construct sidewalks in Carr Court and along a portion of Jones Ferry Road. NCDOT has prepared Enhancement Agreements for these projects. A resolution recommending the Board of Aldermen authorize the Mayor and Town Clerk to sign and execute the Enhancement Agreements was recommended for the Board's approval.

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

A RESOLUTION TO AUTHORIZE THE MAYOR AND TOWN CLERK TO SIGN AND EXECUTE THE ENHANCEMENT AGREEMENT FOR PROJECT E-4781, CARR COURT SIDEWALKS Resolution No. 04/2003-04

WHEREAS, the Municipality has requested enhancement funding for the construction of a five-foot concrete sidewalk along portions of Wesley Street, Hargraves Street and Brewer Lane in the Carr Court neighborhood, and landscaping in Carrboro, Orange County, North Carolina; and,

WHEREAS, the Department of Transportation has programmed funding in the 2002-2008 Transportation Improvement Program, as revised, for said construction under Project E-4781, Orange County; and

WHEREAS, the Municipality proposes to enter into an Agreement with the North Carolina Department of Transportation for said improvements 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 \$74,351; and,

WHEREAS, the Municipality shall provide at least twenty percent (20%) matching funds and all costs that exceed the federal award of \$74,351.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for Project E-4781 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 with the Department of Transportation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 19th day of August, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

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

A RESOLUTION TO AUTHORIZE THE MAYOR AND TOWN CLERK TO SIGN AND EXECUTE THE ENHANCEMENT AGREEMENT FOR PROJECT E-4780, JONES FERRY ROAD SIDEWALKS Resolution No. 05/2003-04

WHEREAS, the Municipality has requested enhancement funding for the construction of a five-foot concrete sidewalk on the north side of Jones Ferry Road between the Morningstar Mini-Storage site and the traffic signal at the entrance to Willow Creek Shopping Center, going under the NC Highway 54 Bypass bridge, and landscaping in Carrboro, Orange County, North Carolina; and, WHEREAS, the Department of Transportation has programmed funding in the 2002-2008 Transportation Improvement Program, as revised, for said construction under Project E-4780, Orange County; and

WHEREAS, the Municipality proposes to enter into an Agreement with the North Carolina Department of Transportation for said improvements 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 \$18,040; and,

WHEREAS, the Municipality shall provide at least twenty percent (20%) matching funds and all costs that exceed the federal award of \$18,040.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for Project E-4780 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 with the Department of Transportation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 19th day of August, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

Alderman Zaffron requested that Carr Court residents be contacted to receive their input in the design of the sidewalk.

REQUEST TO APPROVE A BUDGET ORDINANCE – FY 02-03

The purpose of this item was to request the Board to approve a budget amendment retroactive to FY02-03 that acknowledges bond proceeds and related expenditures associated with refinancing the General Obligation Bonds on June 26, 2003. The bond proceeds borrowed were sufficient to pay bond counsel fees, redemption penalties and remaining principal on the retired bonds.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE

AMENDING FY'2002-03 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

AWARD OF CONTRACT FOR CABLE CASTING SERVICES

The purpose of this item was to award a contract to Monique Velasquez dba Velasquez Digital Media Communications for cable casting services.

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

A RESOLUTION AWARDING A CONTRACT FOR CABLE CASTING SERVICES Resolution No. 1/2003-04

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

Section 1. The Mayor and Board of Aldermen hereby award a contract to Moniquie Velasquez dba Velasquez Digital Media Communications for cable casting services. This contract shall not exceed \$5,200.

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 19th day of August, 2003:

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

Noes: None

Absent or Excused: Mark Dorosin

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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 July 16 – August 15, 2003 was presented.

Alderman Zaffron requested that the "Affordable Housing and Size-Limited Dwellings" portion of the report be revised to include the Pacifica and Winmore developments.

SIDEWALK IMPROVEMENT PRIORITIZATION

The Transportation Advisory Board (TAB), working as a Sidewalk Task Force, is developing a method of prioritizing new sidewalk locations in Carrboro. The purpose of this item was to make the information developed by the TAB available to the Board of Aldermen as it considers a sidewalk and greenways bond referendum. If the bond referendum is approved, the matrix is a tool that can be used as part of a process to select sidewalk projects for construction. The Administration recommended that the Board of Aldermen adopt the resolution receiving the report and either (1) make a decision on the prioritization method to be used for new sidewalk locations or (2) provide direction to the Transportation Advisory Board for additional review and report back to the Board on August 26.

Dale McKeel, Transportation Planner, made the presentation.

Mayor Nelson requested that the resolution that the Board will consider on August 26th include a statement that the sidewalk improvement priorities are subject to change.

Alderman McDuffee suggested that the length of the street not be used as a priority rating. She also requested that blank lines be included between different groupings within the report to differentiate rankings.

Alderman Gist suggested that more weight be given to safety issues, that the town staff review incident reports involving pedestrians, and that the police department offer input on streets they feel are unsafe for pedestrians.

Alderman Zaffron asked that the TAB articulate in detail what criteria they used to determine need exclusive of the other criteria they used to set priorities.

Mayor Nelson requested that a representative from the TAB be present at the August 26th meeting of the Board when the Board next discusses this matter.

Alderman Broun asked that the TAB factor in streets with curves when considering priorities.

Alderman Herrera requested that the TAB consider streets that do not have public transportation when setting priorities.

INTRODUCTION OF BOND ORDERS, SETTING A PUBLIC HEARING AND AUTHORIZING THE FILING OF SWORN STATEMENT OF DEBT

The Board of Aldermen, at its meeting on June 17, 2003, asked town staff to proceed with the steps needed to pursue a bond referendum at the same time as the November election. The purpose of this item is to enable the Town to "stay on course" and move forward to meet all of the necessary legal and administrative processes required to place the bond referendum on the November ballot. Specifically, the next steps are for the Board to (1) introduce a Bond Order authorizing the issuance of general obligation bonds for sidewalks and greenway trails, (2) introduce a Bond Order authorizing the issuance of general obligation bonds for recreational facilities (i.e. the development of the Hillsborough Road Park), and (3) adopt a resolution setting a public hearing for September 2, 2003 on the advisability of issuing bonds for sidewalks and greenways and for the Hillsborough Road Park, and authorizing the Finance Officer to file with the Town Clerk a sworn statement of the Town's debt.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO INTRODUCE THE FOLLOWING BOND ORDER:

BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR SIDEWALKS AND GREENWAY TRAILS IN THE MAXIMUM AMOUNT OF \$4,600,000

WHEREAS --

The Board of Aldermen of the Town of Carrboro, North Carolina, by resolution adopted on June 17, 2003, has stated its proposal to issue general obligation bonds to pay capital costs of providing sidewalks and greenway trails.

The Town has applied to the North Carolina Local Government Commission for its approval of such bonds, and the Commission has accepted the Town's application.

BE IT ORDERED by the Board of Aldermen of the Town of Carrboro, North Carolina, as follows:

- 1. There are hereby ordered to be issued Town general obligation bonds to pay capital costs of providing sidewalks and greenway trails, together with related financing and other necessary or incidental costs.
- 2. The maximum aggregate principal amount of the bonds issued for such purpose will be \$4,600,000.
- 3. Taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued.

- 4. A sworn statement of debt prepared by the Town's Finance Officer has been filed with the Town Clerk and is open to public inspection.
- 5. 5. This Bond Order will take effect when approved by the Town's voters in the manner provided by law.

VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GIST), ABSENT ONE (DOROSIN)

It was the consensus of the Board to decline to introduce the bond order for parks and recreational facilities.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman John Herrera.

A RESOLUTION SETTING A PUBLIC HEARING ON BOND ORDERS AND AUTHORIZING FILING OF DEBT STATEMENT Resolution No. 08/2003-04

WHEREAS, there has been introduced at this meeting a bond order entitled as follows:

BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR SIDEWALKS AND GREENWAY TRAILS IN THE MAXIMUM AMOUNT OF \$4,600,000

AND WHEREAS, Section 159-57 of the General Statutes requires that a public hearing be held on this bond order prior to its adoption, Section 159-56 of the General Statutes requires publication of a notice of such hearing, and Section 159-55 of the General Statutes requires the filing of a statement of the Town's debt with the Town Clerk prior to the public hearing;

BE IT THEREFORE RESOLVED by the Board of Aldermen of the Town of Carrboro, North Carolina, (1) that a public hearing on this bond order will be held at 7:30 p.m. (or as soon thereafter as the matter may be heard) on September 2, 2003, in the Board's regular meeting room, Town Hall, 301 West Main Street, Carrboro, North Carolina, and (2) that the Town Clerk is authorized and directed to publish a notice of such public hearing, in the form provided for in Section 159-56 of the General Statutes, one time, not less than six days prior to such hearing date, in a newspaper having general circulation in the Town;

AND BE IT FURTHER RESOLVED that the Town's Finance Officer is authorized and directed to prepare and file, prior to the publication of the notice of public hearing, a sworn statement of the Town's net debt in the form prescribed by statute.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 19th day of August, 2003:

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

Noes: Jacquelyn Gist

Absent or Excused: Mark Dorosin

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JOHN HERRERA THAT THE TOWN STAFF INVESTIGATE FUNDING SOURCES (INTERNAL AND EXTERNAL) TO FUND A RECREATION AND PARKS MASTER PLAN. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

Mike Brough stated that the Hillsborough Road Park Design Committee's work was stymied until the Board of Aldermen decided where the road would be located within the park and the design of that road.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO REACTIVATE THE HILLSBOROUGH ROAD PARK DESIGN COMMITTEE TO RESOLVE THE ROAD ISSUE AND TO PLAN THE DESIGN OF THE PARK, AND TO OBTAIN ADDITIONAL COMMUNITY INPUT. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

REQUEST FOR FUNDING: FAMILIAS DEL PUEBLO ROAD RACE

The Town received a letter from Familias del Pueblo Road Race 2003 requesting that the Town contribute \$2,000 to them to help offset the Police and Public Works costs for the upcoming September 20, 2003 race. The administration recommended that the Town not waive the fees unless the Board wishes for the Town to become a sponsor of this event.

Hector Perez, Executive Director of El Centro Latino, requested that the Town become a sponsor of the event.

Mayor Nelson encouraged the group to go through the town's budget request process next year.

Alderman Herrera asked that the cost of public works and police services be kept to a minimum.

CANCELLATION OF SEPTMBER 9TH BOARD MEETING

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOHN HERRERA TO CANCEL THE SEPTEMBER 9, 2003 MEETING OF THE BOARD OF ALDERMEN. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

<u>APPOINTMENT TO CHAMBER COUNCIL ON A SUSTAINABLE</u> <u>COMMUNITY</u>

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO APPOINT ALDERMEN MCDUFFEE AND HERRERA TO SERVE AS THE TOWN'S REPRESENTATIVE ON THE CHAMBER OF COMMERCE'S COUNCIL ON A SUSTAINABLE COMMUNITY. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GIST), ABSENT ONE (DOROSIN)

Alderman Gist expressed concern about the establishment of this committee coming on the heels of the Shaping Orange County's Future report.

Mayor Nelson asked that Aldermen McDuffee and Herrera request that the committee's name be changed since it seems the work of the committee would be focusing on economic development.

REQUEST FOR REPORT ON THE EXPANSION OF THE HOUSE LOCATED AT 700 NORTH GREENSBORO STREET

Alderman Broun requested a report on the expansion of the house located at 700 North Greensboro Street She also requested that the Board consider a "Mansionization" ordinance for conforming properties.

APPOINTMENT TO THE ORANGE COUNTY ECONOMIC DEVELOPMENT COMMISSION

Alderman Broun stated that her term on the Orange County Economic Development Commission expired in June 2003 and requested that someone be appointed to this position.

Alderman Herrera volunteered to serve.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO RECOMMEND TO THE ORANGE COUNTY BOARD OF COMMISSIONERS THAT ALDERMAN HERRERA BE APPOINTED TO SERVE AS THE TOWN'S REPRESENTATIVE ON THE ORANGE COUNTY ECONOMIC DEVELOPMENT COMMISSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION TO DISCUSS A PERSONNEL MATTER AND LITIGATION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 9:15 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

Mayor

Town Clerk