

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 26, 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/ Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:

Alderman	Mark Dorosin
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO APPROVE THE AUGUST 19, 2003 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

QUARTERLY REPORTS FOR THE QUARTER ENDING JUNE 30, 2003

The purpose of this item was to present to the Mayor and Board of Aldermen quarterly Century Center and Personnel reports for the quarter ending June 30, 2003.

REQUEST TO ADOPT A BUDGET AMENDMENT

The Board was requested to approve a transfer of \$1,200 from the Capital Reserve Fund to the General Fund to pay for an appraisal of the property needed for the Rand Road extension.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2003-04 BUDGET ORDINANCE." VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

PUBLIC HEARING/STREET CLOSING PERMIT REQUEST: 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 am to 9:15 am 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.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF THE FOLLOWING
STREETS TO ACCOMMODATE *LA FAMILIAS DEL PUEBLO ROAD RACE*
Resolution No. 10/2003-04

Section 1. The following streets shall be temporarily closed Saturday, September 20, 2003 from 8:00 am to 9:15 am to accommodate the *La Familias del Pueblo 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 from Winsome Lane intersection to Carol Street intersection
2. Carol Street from Old Fayetteville Road intersection to James Street intersection
3. James Street from Carol Street intersection to Lorraine Street intersection
4. Lorraine Street from James Street intersection to Hillsborough Road intersection
5. Hillsborough Road from Lorraine Street intersection to Simpson Street intersection

6. Simpson Street from Hillsborough Road intersection to West Main Street intersection
7. West Main Street from Simpson Street intersection to Hillsborough Street intersection
8. Hillsborough Street from West Main Street intersection to Oak Street intersection
9. Oak Street from Hillsborough Road intersection to North Greensboro Street intersection
10. North Greensboro Street from Oak Street intersection to Morningside Drive intersection
11. Morningside Drive from North Greensboro Street intersection to Blueridge Road intersection
12. Blueridge Road from Morningside Drive intersection to Spring Valley Road intersection
13. Spring Valley Road from Blueridge Road intersection to Pathway Drive intersection
14. Pathway Drive from Spring Valley Road intersection to Parkview Drive intersection
15. Parkview Drive from Pathway Drive intersection to Hillsborough Road intersection
16. Hillsborough Road from Parkview Drive intersection to James Street intersection
17. James Street from Hillsborough Road intersection to Rainbow Drive intersection
18. Rainbow Drive from James Street intersection to Lisa Drive intersection
19. Lisa Drive from Rainbow Drive intersection to Carol Street intersection
20. Carol Street from Lisa Drive intersection to Old Fayetteville Road intersection
21. Old Fayetteville Road from Carol Street intersection to Winsome Lane intersection

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 2 of this resolution.

Section 4. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 5. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place.

Section 6. Applicant will be responsible for all costs incurred by Police and Public Works to facilitate this event.

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 26th 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

CONTINUED DISCUSSION OF 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. On August 19, the Board of Aldermen reviewed the information developed by the TAB and suggested additional items for review. At its meeting on August 21, the TAB discussed the recommendations from the August 19 Board of Aldermen meeting. The Administration recommended that the Board of Aldermen adopt a resolution receiving the report and make a decision on the prioritization method to be used for new sidewalks.

Chris van Hasselt, Chair of the Transportation Advisory Board, explained the TAB's response to the Board's requests from the August 19th Board meeting. He also stated that the TAB was recommending Matrix #4 for sidewalk prioritization.

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

A RESOLUTION RECEIVING THE REPORT ON SIDEWALK IMPROVEMENT PRIORITIZATION
Resolution No. 12/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to review policy and plans.

WHEREAS, the Carrboro Board of Aldermen has considered the needs for capital improvements for sidewalks and greenway trails in the Town and has scheduled a September 2 public hearing on general obligation bond financing to address these needs.

WHEREAS, the Transportation Advisory Board (TAB), working as a Sidewalk Task Force, has developed methods of prioritizing new sidewalk locations in Carrboro.

WHEREAS, the sidewalk priority lists developed by the TAB are preliminary and subject to change. There will be many other factors that will be considered before definitive decisions are made about which sidewalks to build and when. Some of those factors will be engineering, costs, topography, etc.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen have reviewed the report on sidewalk improvement prioritization.

BE IT FURTHER RESOLVED by the Carrboro Board of Aldermen that the Aldermen select Matrix #4 to determine the prioritization method to be used for new sidewalk locations.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th 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

SMITH MIDDLE SCHOOL SOCCER FIELD PROCEDURE CHANGES

The purpose of this agenda item is to seek approval from the Board of Aldermen for the following:

1. Changes to the 2003-04 Miscellaneous Fees and Charges Schedule for soccer field rentals;
2. Adding additional criteria to the Smith Middle School Soccer Field 3B Priority Reservation Process; and
3. Handling future procedural changes following consistent department protocol

Anita Jones-McNair, the Town's Recreation and Parks Director, made the presentation.

The Board requested that the Recreation and Parks Department staff inform teams/organization that the department is open to suggested procedural changes.

The following resolution was introduced by Alderman Diana McDuffee and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION AMENDING THE SMITH MIDDLE SCHOOL
SOCCER FIELD 3B PROCEDURE
Resolution No. 07/2003-04

WHEREAS, the Recreation and Parks Department has requested that the Mayor and Board of Aldermen review and approve the changes to the 2003-04 Miscellaneous Fees and Charges Schedule and the Rental/Reservation Procedure for Smith Middle School Soccer Field 3B.

WHEREAS, The Mayor and Board of Aldermen reviewed and approved the changes.

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

Section 1. The Board hereby approves the following changes to the 2003-2004 Miscellaneous Fees and Charges Schedule for soccer field rentals:

(1) Day Use \$ 5/30 minutes
\$10/60 minutes
\$15/90 minutes

(2) Night Use \$10/30 minutes
\$20/60 minutes
\$30/90 minutes

(3) Supervisor (needed for use of lights) \$9.50 (in addition to field fee)

Section 2. The Board hereby approves to add to the priority reservation criteria that “Each group or team must have a governing organization submit requests”; and

Section 3. The Board hereby approves that procedural changes of this field follow a consistent department protocol that includes staff review, research, and discussion, and necessary approval, communication with Orange County staff, marketing and implementation.

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 26th 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

A REQUEST TO ADOPT A RESOLUTION AUTHORIZING THE CARRBORO POLICE DEPARTMENT TO BAN PERSONS FROM TOWN BUS SHELTERS FOR UP TO ONE YEAR

On January 21, 2003, the Board of Aldermen adopted an ordinance amending the Town Code to prohibit loitering at the bus shelters. The purpose of this item was for the Board to receive a report on the experience of the Police Department in enforcing that ordinance and to consider a resolution authorizing the police department to use the trespass statutes to deal with this persistent problem.

Chief Hutchison made the presentation.

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

**A RESOLUTION AUTHORIZING THE TOWN OF CARRBORO POLICE
TO BAN PERSONS FROM TOWN BUS SHELTERS FOR UP TO ONE YEAR
Resolution No. 09/2003-04**

WHEREAS, the Town of Carrboro is the lawful owner of all municipal bus shelters within the Town limits;

WHEREAS, with the advent of fare-free bus service, the Town has seen a rise in loitering, public intoxication and unruly behavior in and around Town bus shelters;

WHEREAS, under North Carolina General Statute 14-159.13, a person commits second-degree trespass if he or she enters or remains on the premises of another after the owner or an authorized person notifies that person to leave and not return;

WHEREAS, North Carolina General Statute 14-159.13 permits the Board of Aldermen to authorize the Town of Carrboro Police Department and its officers to act as agents for the Town;

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro resolves:

Section 1. Town of Carrboro police officers are authorized to act as agents on behalf of the Town in directing persons to leave and not return to any municipal bus shelter owned by the Town for a period of up to one year.

Section 2. A Carrboro police officer may order a person to leave and not return to a municipal bus shelter under any of the following circumstances:

- (a) Where the police officer has been informed by Chapel Hill Transit that the person has been banned from using the bus system,
- (b) Where the police officer has probable cause to believe that the person is publicly intoxicated as defined by G. S. 14-443,
- (c) Where the person has been convicted of violating any criminal statute or Town ordinance stemming from acts committed either while on a bus, at a Town bus shelter or within close proximity to a Town bus shelter,
- (d) Where the police officer has probable cause to believe the person has within twenty-four (24) hours of the probable cause determination engaged in any of the following acts while at or within close proximity to a Town bus shelter or while on a municipal bus:

- i. fighting,
- ii. disorderly conduct in violation of G.S. 14-288.4 or G.S. 14-275.1,
- iii. directing profane or abusive language toward any other person,
- iv. communicating threats in violation of G.S. 14-277.1
- v. carrying a concealed weapon in violation of G.S. 14-269 or
- vi. violating any other criminal statute or Town ordinance.

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 26th 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

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO ASK THAT THE TOWN STAFF PREPARE AN OBJECTIVE APPEALS PROCESS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (DOROSIN)

Alderman Broun requested a six- month status report on this trespass authority.

A REPORT ON LOITERING IN THE VICINITY OF DAVIE ROAD AT JONES FERRY ROAD

During morning hours, day laborers hoping for contractual work congregate along the roadside on Davie Road at Jones Ferry Road. Contractors arrive to pick up those seeking work from this site and stop in the street to do so, which is potentially dangerous to both pedestrians and drivers. The people who are not picked up often loiter in the area throughout the day, sometimes committing crimes and/or causing nuisance complaints. The purpose of this item was for the Board to receive a report on the experience of the community and the Police Department as all of us deal with this issue and to receive direction from the Board about possible solutions to this persistent problem.

Chief Hutchison made the presentation.

Alderman Gist suggested that the Bim Street parking lot be used as an area for people to wait for pick up from 6:00 – 9:00 a.m. on weekdays.

Alderman Herrera suggested that a shelter, trash receptacle and bench be installed for citizens waiting to be picked up.

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

A RESOLUTION ACCEPTING A REPORT ON LOITERING
IN THE VICINITY OF DAVIE ROAD AT JONES FERRY ROAD
Resolution No. 11/2003-04

WHEREAS, the Board of Aldermen has received a report from the Town staff on loitering in the vicinity of Davie Road at Jones Ferry Road; and

WHEREAS, the Board of Aldermen authorizes the Administration to collaborate with the affected property owners and leaders within the Hispanic/Latino community to help the town identify a solution;

NOW THEREFORE, the Board of Aldermen directs Town staff to: organize a safe alternative, seeking the advice of employers, contractors, and community leaders.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th 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
Carrboro Board of Aldermen

Alderman Herrera volunteered to work with the town staff on this project.

HIGH SPEED INTERNET FOR BOARD MEMBERS

Mike Brough stated that Board had approved funding to provide high-speed Internet service for Board members. He asked for clarification on whether the Board wished to have Town staff arrange for the high speed internet connections, whether to have the town's IT Manager to go to Board members' homes to make the connections, and whether those members without home computers be provided with computers no longer be used by town staff members.

It was the consensus of the Board that Time Warner install high-speed Internet service on Board members' home computers and that used computers be placed in those Board members' homes that currently do not have computers. The town's IT Manager should check with individual Board members to determine their needs.

STATUS REPORT ON AUTUMN DRIVE CONNECTION

Alderman Gist requested a status report on the opening of the connector road on Autumn Drive.

ENHANCEMENT PROGRAM

Alderman Zaffron stated that the U.S. House Transportation Appropriations Committee has voted to kill the enhancement program and suggested that Mayor Nelson forward a letter the Town's Congressional delegation, and U.S. Senate representatives objecting to the passage of this bill and urging their opposition to this bill.

BUFFER FOR DOWNTOWN PROPERTIES

Alderman Zaffron asked that this matter be brought before the Board as soon as possible.

Mike Brough stated that he would check with the Town staff to determine when this matter is scheduled to go to the Board.

WORKSESSION ON NTAAC'S SUGGESTED REVISIONS TO THE TOWN'S LIGHTING STANDARDS

Alderman McDuffee asked when this item is scheduled to go to the Board.

Mike Brough stated that it is scheduled for October 14th.

UPDATE ON WEAVER/MAIN STREET PEDESTRIAN CROSSING

Alderman Broun asked for an update on this matter.

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

Town Clerk

Mayor