

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 20, 2004 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Mark Chilton
	Jacquelyn Gist
	John Herrera
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sharmin E. Mirman

Absent:

Alderman	Joal Hall Broun
	Diana McDuffee

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO APPROVE THE APRIL 6 AND 13, 2004 MINUTES. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, MCDUFFEE)

REQUEST TO APPROVE FINANCIAL POLICIES

Town staff, at the Board of Aldermen's annual retreats in December and February, presented a set of comprehensive financial policies that will guide Board and staff decisions in capital and operating budgets while protecting the Town's fiscal strength and position. Town staff, at the recommendation of the Local Government Commission, requested that the Board formally approve these policies.

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

A RESOLUTION ADOPTING FINANCIAL POLICIES FOR
THE TOWN OF CARRBORO
Resolution No. 141/2003-04

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

Section 1: The Board of Aldermen recognizes the importance of financial policies that are designed to ensure the fiscal stability of the Town and to guide the development and administration of the annual operating and capital budgets;

Section 2: The Town's financial objectives address revenues, expenditures, debt, capital needs, and budgeting and management;

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 20th day of April, 2004:

Ayes: Mark Chilton, Jacquelyn Gist, John Herrera, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, Diana McDuffee

A RESOLUTION PROCLAIMING MAY AS NATIONAL BIKE MONTH

The year 2004 will mark the 48th consecutive year the League of American Bicyclists has declared May to be National Bike Month. For several years the Carrboro Board of Aldermen has adopted a resolution in support of National Bike Month. A resolution was presented for the Board's adoption.

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

**A RESOLUTION PROCLAIMING MAY AS NATIONAL BIKE MONTH
Resolution No. 146/2003-04**

WHEREAS, bicycle riding is a viable and environmentally sound form of transportation and an excellent form of recreation; and

WHEREAS, millions of Americans will experience the joys of bicycling in the month of May through educational programs, commuting events, trail work days, helmet promotions, and charity rides; and

WHEREAS, Americans in record numbers are turning to bicycling for recreation, exercise, and transportation; and

WHEREAS, The year 2004 will mark the 48th consecutive year that the national non-profit bicycling safety and education association the League of American Bicyclists has declared the month of May to be National Bike Month; and

WHEREAS, bicycle clubs, schools, parks and recreation departments, police departments, hospitals, companies and civic groups throughout the nation will be promoting bicycling as a wholesome leisure activity as well as an environmentally-friendly alternative to the automobile during the month of May.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen do hereby proclaim the month of May as NATIONAL BIKE MONTH

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 20th day of April, 2004:

Ayes: Mark Chilton, Jacquelyn Gist, John Herrera, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, Diana McDuffee

PUBLIC INPUT SESSION ON THE HILLSBOROUGH ROAD PARK

Mayor Nelson announced that on this Saturday, April 24th there will be a public input session for the Hillsborough Road Park.

REQUEST FOR SHELTER VOLUNTEERS

Alderman Gist stated that volunteers are needed to help staff the Homeless Shelter that will be held at the Century Center on May 23-30.

CHARGE ISSUED

The Deputy Town Clerk issued a charge to Bob Taylor, a recent appointee to the Environmental Advisory Board.

RECOMMENDED HOME PROGRAM FUNDING PLAN FOR 2004-05

The purpose of this agenda item was to present to the Board of Aldermen a plan developed by the HOME Program Review Committee for use of HOME Program funds for fiscal year 2004-2005.

James Harris, the town's Community and Economic Development Director, made the presentation.

Alderman Mark Chilton asked to be recused from the discussion/vote due to a conflict of interest.

MOTION WAS MADE BY MICHAEL NELSON AND SECONDED BY JOHN HERRERA TO RECUSE MARK CHILTON FROM THE DISCUSSION/VOTE DUE TO A CONFLICT OF INTEREST. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, MCDUFFEE)

Alderman Gist expressed concern about the amount of money allocated for rental assistance and how it will be spent. It's public money and therefore there is a need to be responsible and careful. She requested a report on exactly how the money will be spent.

Mr. Harris stated that once the program is designed it will be brought back to all elected officials.

Alderman Gist asked that this be added to the resolution: To encourage recipients of funding to incorporate "green" building techniques in their projects to promote environmental responsibility and energy conservation.

Mr. Harris said that that statement could be put it in the cover letter of the application process.

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

A RESOLUTION APPROVING THE
THE ORANGE COUNTY 2004-05 HOME PROGRAM DESIGN
Resolution No. 142/2003-04

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 2004-05 HOME Program:

Rental Assistance: \$236,431

The Committee proposes to use HOME funds to develop a small pilot program (four to five units) for Tenant-Based Rental Assistance in Orange County. We propose that the program would operate similar to the Section 8 Program and provide rent subsidies for eligible families with incomes at or below 50% of the area median income. Resembling the Section 8 Program, the subsidy would be calculated based on the tenant's ability to pay and the fair market rent. The program would be administered by the Orange County Housing and Community Development Department.

Property Acquisition: \$250,000

1. The Review Committee proposes to allocate \$125,000 to the Town of Chapel Hill to assist in the purchase of a house for the Town's Transitional Housing program for public housing residents. The program provides a stepping-stone for families between public housing and the private housing market.
2. The Review Committee proposes to allocate \$125,000 to Habitat for Humanity to purchase five lots in the Winmore Subdivision in Carrboro. The funds would convert into second mortgages of \$25,000 each to five low-income first-time homebuyers when they purchase their homes. The homes would be purchased by households who have lived and/or worked in Orange County for at least one year prior to applying, and who earn less than 50% of the area median income.

Second Mortgage Assistance: \$180,000

1. The Committee proposes to allocate \$100,000 to EmPOWERment, Inc. to provide second mortgage assistance for first-time homebuyers earning less than 80% of the area median income. EmPOWERment would provide \$10,000 to ten buyers throughout Orange County.
2. The Committee also recommends allocating \$80,000 to Habitat for Humanity to provide deferred second mortgages for four homebuyers earning less than 50% of the area median income. Three of the homes would be located in the Richmond Hills Subdivision in Efland, and the fourth home is located on Cain Drive in Efland Estates where Habitat has previously built eight homes. Homes would be purchased by households who have lived and/or worked in Orange County for at least one year prior to applying.

Down Payment Assistance: \$140,000

The Committee recommends allocating \$140,000 to Orange Community Housing and Land Trust to provide down payment assistance for seven first-time buyers in the Winmore (\$70,000) and seven first-time buyers in the Pacifica development (\$70,000), both located in Carrboro. The town homes and condominiums, which are being developed by the private sector, would be placed in the Land Trust. Eligible applicants must be first-time homebuyers currently living or working in Orange County who earn less than 80% of the area median income.

New Construction (Infrastructure) \$25,000

The Committee recommends allocating \$25,000 to Habitat for Humanity to extend sewer service to a lot owned by Orange Community Housing and Land Trust on Crest Street in Carrboro. Habitat will build a home on the lot once the sewer extension has been completed. The home will be sold to a Habitat homebuyer using the land trust model, and the property will remain affordable for 99 years.

Administration: \$73,905

The remaining \$73,905 would be allocated to the Orange County Housing and Community Development Department for administration of the HOME program.

Housing projects funded with Orange County HOME Program funds are subject to the County's 99-year long-term affordability policy, and must remain affordable for 99 years. Orange County records deed restrictions on the property with the Register of Deeds for affordable housing projects.

AMERICAN DREAM DOWNPAYMENT INITIATIVE PROGRAM

The Department of Housing and Urban Development has also informed us that the Consortium will receive \$54,145 of American Dream Down payment Initiative funds. This program, designed to be administered as part of the HOME Program, was signed into law on December 16, 2003. The goal of this program is to increase the homeownership rate, especially among lower income and minority households, and to revitalize and stabilize communities.

BE IT RESOLVED that recipients of funding incorporate "green" building techniques in their projects to promote environmental responsibility and energy conservation.

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 20th day of April, 2004:

Ayes: Jacquelyn Gist, John Herrera, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, Mark Chilton, Diana McDuffee

CREATION OF A MORGAN CREEK TRAIL PLANNING COMMITTEE

The Town of Carrboro has secured funding from the Durham-Chapel Hill-Carrboro MPO to develop a plan for a greenway trail along Morgan Creek. A resolution that would authorize the creation of a Morgan Creek Trail Planning Committee to assist with this plan was presented.

Dale McKeel made the presentation to the Board.

Mayor Nelson said that he walked three or four miles of the Chapel Hill Greenway and that they have different kinds: a paved section, a natural section and sections that are gravel. He said that it was impressive and that a

lot of thought went into what goes where. He suggested that Dale McKeel take the committee on a walk along the Chapel Hill Greenway to show them how the different trails work and meet all their needs. He requested when searching for neighborhood representatives, that a special effort be made to reach people who often get left out of the decision-making process.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Chilton.

A RESOLUTION CREATING A MORGAN CREEK TRAIL
PLANNING COMMITTEE
Resolution No. 144/2003-04

WHEREAS, the Town of Carrboro's 1994 Parks and Recreation Master Plan envisions a greenway trail along Morgan Creek between Smith Level Road and University Lake; and

WHEREAS, the Town has secured funding through the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) and the 2003 Sidewalk and Greenway bond for design of a Morgan Creek greenway trail; and

WHEREAS, the Town requires additional information concerning possible routes and costs for various options; and

WHEREAS, a planning committee would allow citizens, nearby residents and property owners and neighboring jurisdictions to participate in the planning process;

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen authorizes the creation of a Morgan Creek Trail Planning Committee and authorize Town staff to recruit applicants for the committee:

- Board of Aldermen (number to be determined by Board)
- Planning Board (1 seat)
- Recreation and Parks Commission (1 seat)
- Environmental Advisory Board (1 seat)
- Transportation Advisory Board (1 seat)
- Neighborhood representatives (3 seats)
- Frank Porter Graham School (1 seat)
- Morgan Creek Valley Alliance (1 seat)
- Orange County (1 seat)
- Town of Chapel Hill (1 seat)
- OWASA (1 seat)
- University of North Carolina (1 seat)

BE IT FURTHER RESOLVED that Town staff will report back to the Board of Aldermen with a recommended list of committee members in September 2004.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 20th day of April, 2004:

Ayes: Mark Chilton, Jacquelyn Gist, John Herrera, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, Diana McDuffee

A MOTION WAS MADE BY MARK CHILTON AND DULY SECONDED BY JACQUELYN GIST TO APPOINT ALEX ZAFFRON TO THE MORGAN CREEK TRAIL PLANNING COMMITTEE. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, MCDUFFEE)

Mayor Michael Nelson said that he would contact Alderman McDuffee about whether she would like to serve on the committee too.

REPORT ON INCLUSIONARY ZONING

The 2003 Action Agenda Project List calls for a report on Inclusionary Zoning. A report on this matter was presented.

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

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY/CLIENT PRIVILEGE. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, MCDUFFEE)

MOTION WAS MADE BY ALEX ZAFFRON TO ACCEPT THE REPORT, CONTINUE TO USE THE AFFORDABLE HOUSING ORDINANCE PREVIOUSLY ADOPTED, THAT THOSE ORDINANCE BE RE-EVALUATED AFTER A ONE YEAR PERIOD, AND THAT THE TOWN STAFF EVALUATE WHETHER THERE SHOULD BE COMPATIBILITY BETWEEN THE DENSITY AND LOT SIZE REQUIREMENTS UNDER THE DENSITY BONUS OPTION. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, MCDUFFEE)

REQUEST FOR STATUS REPORT ON AFFORDABLE HOUSING TASK FORCE

Alderman Gist requested a status report on the Orange County Affordable Housing Task Force.

AGREEMENT WITH ORANGE COMMUNITY HOUSING AND LAND TRUST

Alderman Zaffron requested a status report on the agreement with Orange Community Housing and Land Trust.

HEALTH INSURANCE POOL FOR NON-PROFITS

Alderman Gist requested that the town staff investigate with Orange County whether human service agencies could participate in a health insurance to decrease the cost of insurance.

YIELD TO PEDESTRIAN SIGNS

Alderman Herrera thanked the town staff for installing the pedestrian crossing signs.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JACQUELYN GIST TO ADJOURN AT 9:00 P.M. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, MCDUFFEE)

Mayor

Deputy Town Clerk