

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 18, 2005 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Chilton
	Diana McDuffee
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Deputy Town Clerk	Sharmin Mirman

Absent:

Aldermen	Jacquelyn Gist
	John Herrera
	Alex Zaffron

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO APPROVE THE JANUARY 11, 2005 MINUTES. VOTE: AFFIRMATIVE FOUR, ABSENT THREE (GIST, HERRERA, ZAFFRON)

STAFF REPORT ON THE FRIENDS OF BOLIN CREEK REPORT – THE FUTURE OF THE BOLIN CREEK CORRIDOR

The purpose of this item was to provide a staff report on the Friends of Bolin Creek report - The Future of the Upper Bolin Creek Corridor.

Noah Ranells, the Town's Environmental Planner, made a presentation to the Board.

Mayor Michael Nelson asked for a clarification of the conservation map and what the details and generalizations were.

Dave Otto addressed the Board. He said he appreciated the staff's response to their recommendations. He said it was a challenge to deal with existing ordinances regarding preserving larger areas of Bolin Creek.

Mayor Nelson requested that the Board give more direction to staff to create a Bolin Creek Conservation Map that would make clear where priorities lie. He said it was important to clearly spell out what we want with the Horace Williams tract and that this would give future Boards of Aldermen guidance about what we want preserved.

The following resolution was introduced by Alderman Mark Chilton and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION ACCEPTING THE STAFF REPORT OF THE
FRIENDS OF BOLIN CREEK REPORT
ENTITLED "THE FUTURE OF THE UPPER BOLIN CREEK CORRIDOR"
Resolution No. 78/2004-05

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations are conducive to strong stewardship of riparian areas and water quality within the Town; and

WHEREAS, the Friends of Bolin Creek, a non-profit organization committed to long-term preservation of the Bolin Creek Corridor has prepared a report on the future of The Upper Bolin Creek Corridor,

WHEREAS, planning staff has provided a report on the “The Future of the Bolin Creek Corridor”,

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accept this staff report and direct the town staff to create a Bolin Creek conservation map.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of January, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Diana McDuffee, Michael Nelson

Noes: None

Absent or Excused: Jacquelyn Gist, John Herrera, Alex Zaffron

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WORKSESSION ON THE RESIDENTIAL TRAFFIC MANAGEMENT PLAN

At the request of the Board of Aldermen, the Transportation Advisory Board has been reviewing the Residential Traffic Management Plan (RTMP) for several months. The purpose of this item was for the Transportation Advisory Board to discuss its review and recommendations with the Board of Aldermen.

Dale McKeel made a presentation on the TAB recommendations.

Heidi Perry, a member of the Transportation Advisory Board, stated that putting a sidewalk on the street would address one of the traffic calming problems. It is part of the solution.

Heidi Perry stated that in neighborhoods where speeding occurs, it is by the people who live in those neighborhoods. She recommends meeting with those people.

Chris van Hasselt, the chair of the Transportation Advisory Board, said that there is no clear evidence saying which way the policy would take us. He said that lowering the town-wide speed limit would affect everyone and the likelihood of getting a ticket would increase because the roads are engineered at 35 mph. He said that getting information to the press would educate people about it. He said that speed camera technology can be effective but the incentive of companies that run these programs is to give out tickets, not to be fair. He recommended that staff and the TAB use the technology and that there might be a way to use it constitutionally.

The Board referred the report to Town staff for review and recommendations. The following ideas should be considered:

- Change the high/low priority to a neutral label;
- Develop a point system including credit for sidewalks and traffic calming devices;
- Provide details on an education program and enforcement;
- Identify problem areas and conduct a pilot program;
- Prepare a refresher course on traffic calming techniques;
- Consider lowering the town-wide speed limit to 20 mph; and

Include the plan as part of the land use ordinance review.

ALTERNATIVE DESIGN FOR THE SMITH LEVEL ROAD PROJECT

On January 5, 2005, the N.C. Department of Transportation proposed an alternative to the four-lane widening project for Smith Level Road between Morgan Creek and Rock Haven Road. This agenda item provided an opportunity for the Board of Aldermen to consider the NCDOT alternative. Town staff has identified three options for consideration by the Board. A resolution is provided for the Board's adoption.

Dale McKeel made a presentation to the Board.

Mayor Nelson stated that this discussion has been going on for a long time and the DOT firmly believes it is important to four-lane this road, but the Board and citizens do not. He said that they have been good about working with them to find an alternative and that he particularly wanted to thank Doug Galleon, the DOT rep for being fantastic. He also thanked Alex.

Alderman Joal Hall Broun asked when we would we have to come up with \$300,000 if we went with Option B.

Mike Mills, of NCDOT, addressed the Board. He stated that the Town could enter into an agreement that the DOT purchases right of way and the town reimburses them. He said that the right of way and utilities have to be purchased before they can begin.

Alderman Joal Hall Broun asked if we would have the right of way if we had the money up front.

Mike Mills said that it would be a public right of way and that it would stay within the town's jurisdiction.

Alderman Diana McDuffee asked if DOT bought it 1st, how long a time before we had to pay it back?

Mike Mills said that he was not sure - maybe in a couple of years. They would need to talk about it if the Board wants to do this.

Mayor Michael Nelson said that Mr. Galleon was not in a position to commit DOT at the time but he said it was something that could be worked out.

Gary Junker, a resident of Berry Hills Subdivision, asked the Board for clarification about Plan B and how it is different from the current plan. He said that it is already a busy area and that he is concerned about the speed limit. He said that a sidewalk would be welcomed.

Alderman Diana McDuffee and Michael Nelson asked where the money would come from.

Steve Stewart said that they made an assumption that it would be a TIP project and did not expect this. If we are responsible for the right of way, there is no way to say on the spot where the \$300,000 will come from. DOT said that on January 5th utility and right of way would be a local cost. The first possibility would be to look at the unreserved fund balance as a one-time expenditure. They would have to look at revenues to see if there was enough funding with expansion of existing revenues.

Mike Mills said that they could push things ahead to the middle of February if it would help to wait until Alderman Zaffron gets back

Mayor Michael Nelson said that they would schedule the meeting for the next couple of weeks.

REVIEW: HOUSING CODE UPDATE

The Board of Aldermen received reports on the rights and responsibilities of tenants and landlords in September and October of 2003 and directed staff to proceed with updating the Town's Housing Code. It will be necessary for the Board of Aldermen to receive public comment on the proposed new Housing chapter of the Town Code. A resolution that sets a public hearing date of March 22nd was presented.

Trish McGuire made a presentation to the Board.

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

A RESOLUTION CALLING A PUBLIC HEARING ON A TOWN CODE
AMENDMENT TO INCORPORATE A REVISED
HOUSING CODE AS A NEW CHAPTER 17
Resolution No. 77/2004-05

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on March 22, 2005 to consider adopting "Carrboro Housing Code" as Chapter 17 of the Carrboro Town Code.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of January, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Diana McDuffee, Michael Nelson

Noes: None

Absent or Excused: Jacquelyn Gist, John Herrera, Alex Zaffron

REQUEST FOR BOARD INPUT ON REQUEST FOR PROPOSAL FOR AUDITING SERVICES

The Management Services Department has prepared a request-for-proposal (RFP) for auditing services. The Board requested this RFP several years ago and staff committed to pursuing this RFP following implementation of the GASB34 audit for the year ended June 30, 2004, which was completed and presented to the Board on January 11th. Prior to submitting this proposal to auditing firms, staff requested input from the Board regarding any changes to be made to the proposal or proposed bid process.

Bing Roenigk, the Assistant Town Manager, made a presentation to the Board.

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

A RESOLUTION DIRECTING STAFF ON AUDITING SERVICES
Resolution No. 82/2004-05

WHEREAS, the Carrboro Board of Aldermen have received an agenda item for conducting a request-for-proposal (RFP) for auditing services; and

WHEREAS, the Aldermen were informed that the Local Government Commission recommends (does not mandate) that local governments prepare auditing services RFPs every three to five years and that an auditor change is not required should a RFP occur;

WHEREAS, the Aldermen were informed by town staff of two options that may be considered regarding audit services;

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

Section 1: Direct staff to negotiate a 3-year contract with Dixon-Hughes, PLLC.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of January, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Diana McDuffee, Michael Nelson

Noes: None

Absent or Excused: Jacquelyn Gist, John Herrera, Alex Zaffron

LAND USE ORDINANCE TEXT AMENDMENT RELATED TO GROUP HOMES

On June 22, 2004, the Board of Aldermen adopted several amendments to the Land Use Ordinance related to group homes but requested additional revisions to ensure that the changes lifted restrictions for homes not protected by federal and state law. A draft ordinance that responds to that request has been prepared. It is necessary for the Board of Aldermen to receive public comment before taking action on these changes. A resolution setting a public hearing for February 22, 2004 and refers the ordinance to Orange County and the Planning Board was provided.

Trish McGuire, the Town's Planning Administrator, addressed the Board.

The following resolution was introduced by Alderman Mark Chilton and duly seconded by Alderman Joal Hall Broun.

**A RESOLUTION CALLING A PUBLIC HEARING ON LAND USE ORDINANCE
TEXT AMENDMENTS TO PROVISIONS RELATED TO GROUP HOMES
Resolution No. 79/2004-05**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on February 22, 2005 to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance Provisions Dealing with Group Homes."

BE IT FURTHER RESOLVED that the draft amendment is referred to Orange County for review per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of January, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Diana McDuffee, Michael Nelson,

Noes: None

Absent or Excused: Jacquelyn Gist, John Herrera, Alex Zaffron

A MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DIANA MCDUFFEE TO ADJOURN THE MEETING 9:27 P.M. VOTE: AFFIRMATIVE: ALL

Mayor

Deputy Town Clerk