

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 14, 2005 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Chilton
	Jacquelyn Gist
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Deputy Town Clerk	Sharmin Mirman

Absent: John Herrera
Diana McDuffee

PRESENTATION ON THE DOWNTOWN CARRBORO TRANSPORTATION STUDY

A draft final report has been prepared for the Downtown Carrboro Transportation Study. Roger Henderson of Kimley-Horn and Associates was available to make a presentation. The Board was asked to adopt a resolution receiving the report and providing comments on the study.

Roger Henderson addressed the Board. He stated that the total cost is estimated at \$5.2 million dollars (this does not include right of way).

Alderman Zaffron commended Mr. Henderson's work.

Alderman Gist thanked Mr. Henderson and said he gave the Board what they asked for. She said that she did not see the tiny pedestrian signs in the walkability recommendation.

Mr. Henderson said they could be put in at a minimal cost.

Mayor Nelson said it is a good road map for the Board to consider as they plan for the future. Decisions will be made one step at a time. There are numerous resources from state and federal sources. He thanked Mr. Henderson and Aldermen Zaffron, McDuffee and Gist for going through this process.

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

A RESOLUTION RECEIVING THE REPORT ON THE
DOWNTOWN CARRBORO TRANSPORTATION STUDY
Resolution No. 167/2004-05

WHEREAS, the Carrboro Board of Aldermen seeks ample opportunities to develop and implement initiatives which enhance the viability of downtown.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen has received the report on the downtown transportation study and provides the following comments:

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of June, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Alex Zaffron, Michael Nelson

Noes: None

Absent or Excused: John Herrera, Diana McDuffee

Mr. Stewart stated that the town staff would develop a plan of action for the Board's consideration.

REPORT ON CONNECTOR ROADS POLICY – BREWER LANE AREA

At its meeting on March 18, 2005, the Board of Aldermen discussed access issues around the Brewer Lane area and requested that town staff prepare a report on public streets in the Brewer Lane area. A report has been prepared. A resolution receiving the report was provided.

Dale McKeel, the town's Transportation Planner, addressed the Board.

Alderman Chilton asked that staff contact property owners in the vicinity of the Hargraves and Carr Court neighborhood to notify them about the public hearing.

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

**A RESOLUTION RECEIVING THE REPORT ON THE CONNECTOR
ROADS POLICY AND THE BREWER LANE AREA**

Resolution No. 166/2004-05

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

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN:

Section 1. The Aldermen receive the report.

Section 2. Direct staff to proceed with scheduling a public hearing to amend the Connector Roads Plan to reflect the connections recommended in the report.

Section 3. Refer the report to the Transportation Advisory Board, Planning Board and Economic Sustainability Commission.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of June, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Alex Zaffron, Michael Nelson

Noes: None

Absent or Excused: John Herrera, Diana McDuffee

WORKSESSION ON B-1(F) SUBCOMMITTEE RECOMMENDATIONS REGARDING OPEN SPACE REQUIREMENTS IN DOWNTOWN ZONING DISTRICTS

The B-1(f) Subcommittee has completed its consideration of the residential open space requirement as it applies to development in downtown zoning districts. A resolution was provided for the Board's adoption.

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

James Carnahan addressed the Board.

Alderman Zaffron said it is great work. It has lots of creativity and energy.

Mayor Nelson said thank you – it is excellent

Alderman Broun asked staff to schedule an agenda item for the Board to discuss extending the open space requirements to commercial developments located in the downtown.

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

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE B-1(F) SUBCOMMITTEE RECOMMENDATIONS REGARDING ESTABLISHING A LIVABILITY PROVISION REQUIREMENT FOR RESIDENTIAL DEVELOPMENTS IN DOWNTOWN ZONING DISTRICTS

Resolution No. 165/2004-05

WHEREAS, the Board of Aldermen established a subcommittee to review open space requirements for residential projects in downtown Carrboro, and;

WHEREAS, the subcommittee has completed its review and recommends the establishment of a "livability provision" requirement as an alternative to open space for residential developments in downtown zoning districts.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen accepts this information and refers the proposal to the Planning Board, Environmental Advisory Board, Downtown Development Commission, and staff for evaluation.

Section 2. That the town staff schedule a Board discussion on extending the open space requirements to commercial developments located downtown.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of June, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Alex Zaffron, Michael Nelson

Noes: None

Absent or Excused: John Herrera, Diana McDuffee

REVIEW OF AN ORDINANCE AMENDING CHAPTER 4 (PERSONNEL POLICIES) OF THE CARRBORO TOWN CODE

The purpose of this item was for the Board of Aldermen to review a revised version of Chapter 4 (Personnel Policies) of the Carrboro Town Code.

Desiree White, the town's Human Resources Director, addressed the Board.

Mayor Nelson asked if there were any sections that employees who reviewed it had objections to and commended the town staff on the revised ordinance.

Mike Brough asked how to redraft the section dealing with long-term absences– if someone is not coming back for some reason/unable to fill vacancies for a long term. He asked if this could be done in a way so that it remains fair to the town and employees.

Desiree White said there are slight revisions in sections 44 and 46.

Steve Stewart said we hope to have it resolved by next week.

Alderman Gist stated that the leave policy is archaic – that with two years, you get 12 days off – with five years, it is a little under 3 weeks. People work hard and vacation is about renewal. She said that it is a way to improve turnover is to increase vacation time. She asked if the town staff could examine the amount of leave we give people and look for a way to increase it

Mayor Nelson agreed.

Steve Stewart said that when we are compared to folks we compete against, we compare favorably. Nobody has a better overall leave policy than we do.

Alderman Chilton asked if staff could give the Board a brief memo on annual leave comparison of other municipalities and large private sector organizations.

DESIGNATION OF TERMS FOR OWASA APPOINTEES

On June 7, 2005, the Board of Aldermen voted to appoint Terri Buckner and Laura Sandvik to serve as the town's representatives on the OWASA Board of Directors. The town staff requested that the Board adopt a resolution assigning terms to the new appointees.

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

A RESOLUTION DESIGNATING TERMS FOR OWASA APPOINTEES
Resolution No. 172/2004-05

WHEREAS, the Town of Carrboro has two seats on the OWASA Board of Directors; and

WHEREAS, one of these seats has been vacant since October 2004, and the second seat will be vacant as of the end of June 2005; and

WHEREAS, these positions were advertised and applications were received from Terri Buckner, Frank Hammill, Laura Sandvik, and Albert Vickers; and

WHEREAS, the Board of Aldermen appointed a subcommittee of the Board (Aldermen Broun and Zaffron) to review the applications and to make a recommendation for appointments; and

WHEREAS, Aldermen Broun and Zaffron recommended that Terri Buckner and Laura Sandvik be appointed; and

WHEREAS, on June 7, 2005 the Board of Aldermen appointed Ms. Buckner and Ms. Sandvik to serve as the town's OWASA appointees.

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

Section 1. The Board designates the following terms of office for the OWASA appointees:

APPOINTEE	TERM EXPIRATION
Terri Buckner	June 30, 2006
Laura Sandvik	June 30, 2008

Section 2. A copy of this resolution shall be forwarded to the Orange Water and Sewer Authority.

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 14th day of June, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, Alex Zaffron, Michael Nelson

Noes: None

Absent or Excused: John Herrera, Diana McDuffee

ROGERS ROAD ANNEXATION DISCUSSION WITH CHAPEL HILL

Alderman Broun said she heard from a Rogers Road resident who expressed some concern about the level of services, such as issues with the volunteer fire dept and lack of bus service. He is not criticizing the Sheriffs department, but during the school year, people were passing school busses. She said that the neighborhood will be meeting in the future. He indicated that he would like to be in Carrboro.

Mayor Nelson asked staff to contact the Chapel Hill Manager and set up a meeting to start the conversation.

Aldermen Zaffron and Broun volunteered to represent Carrboro in these discussions.

CARRBORO V. LAURENCE HAYES

Alderman Chilton stated that Board had already extended the time for Mr. Hayes to pay the fine related to the Broad Street Coffee sign, and that he thinks it should be stated publicly that there has already been a compromise and the July deadline was it.

Alderman Gist said she finds this situation very uncomfortable. The towns' policies and requests have been forwarded for quite a long time. On the other hand, the fine seems to be very large. She knows Mr. Hayes has done this to himself, but she is in favor of extending the deadline to September 30th. We could come out looking like we were taking the high road.

Alderman Broun said she was out-voted to give him an extension. Either we follow rules as we set out as policy, or future litigants will say "you gave him x amount of time, why not me?"

Steve Stewart said that he does not think the town staff will have anything new to bring to the Board next week.

Alderman Zaffron said he read the editorial and agrees with Alderman Gist. He does not think the fine is unreasonable because Mr. Hayes did it to himself. He does not like the option if he does not pay on time. It is out of proportion to the scope of what is going on here. He would be inclined to meet halfway and give Mr. Hayes another 30 days, but that is it.

Mayor Nelson said that those Board members who voted for a 90-day extension all stated very firmly that it was a one time 90-day extension. He took Board members at their word and he would be disappointed if we backed down. The Board voted to pursue this matter and we had to have known (six months ago) what the end result would be. If we were not willing to go through with it then, we should not have voted to do that. He stated that he did not support the extension the first time and that he will not change his position.

Alderman Chilton said that the Board needed to talk about this next week.

CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO ADJOURN TO CLOSED SESSION AT 8:42 P.M. TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (HERRERA, MCDUFFEE)

A MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO END THE CLOSED SESSION AND ADJOURN AT 9:05 PM.

Mayor

Deputy Town Clerk