

A worksession of the Carrboro Board of Aldermen was held on Tuesday, March 14, 2006 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Dan Coleman
	Jacquelyn Gist (left at 10:06 p.m.)
	John Herrera
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Deputy Town Clerk	Sharmin Mirman

Absent:

Alderman	Randee Haven-O'Donnell
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TWO RESOLUTIONS PRESENTED BY ALDERMAN GIST

Alderman Gist stated that our constitution is in danger with the current administration. She requested that the Board adopt two resolutions calling for the impeachment of President Bush. One is a Resolution Calling for Congressman David Price to Support U.S. House Resolution 635. The other is to be sent to the North Carolina Legislative Delegation.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Dan Coleman.

A RESOLUTION CALLING FOR CONGRESSMAN DAVID PRICE
TO SUPPORT U.S. HOUSE RESOLUTION NO. 635
Resolution No. 96/2005-06

WHEREAS, George W. Bush has committed high crimes and misdemeanors as he has repeatedly violated the United States Constitution and other laws of the United States, particularly the Foreign Intelligence Surveillance Act and he Torture Convention, which under Article VI of the Constitution is a treaty as part of the “supreme law of the land”; and

WHEREAS, David Price, upon taking the oath of office to the United States Congress, swore to preserve and defend the Constitution of the United States; and

WHEREAS, the members of the Carrboro Board of Aldermen, upon taking the oath of office, each swore to preserve and defend the Constitution of the United States.

NOW THEREFORE, the members of the Carrboro Board of Aldermen, in order to uphold their oaths to defend the Constitution of the United States, calls upon Congressman David Price to preserve and defend the Constitution of the United States by supporting House Bill 635 which will create a special committee of the United States Congress to investigate whether the President’s misconduct rises to the level of impeachment.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 14th day of March, 2006:

Ayes: Mark Chilton, Joal Hall Broun, Dan Coleman, Jacquelyn Gist, John Herrera, Alex Zaffron

Noes: None

Absent or Excused: Randee Haven-O'Donnell

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman John Herrera.

A RESOLUTION CALLING FOR THE IMPEACHMENT
OF PRESIDENT GEORGE W. BUSH
Resolution No. 97/2005-06

WHEREAS, Section 603 of the Manual of the Rules of the United States House of Representatives provides for impeachments to be initiated on a motion based on charges transmitted from a state legislature; and

WHEREAS, George W. Bush has committed high crimes and misdemeanors as he has repeatedly and intentionally violated the United States Constitution and other laws of the United States, particularly the Foreign Intelligence Surveillance Act and the Torture Convention, which under Article V1 of the Constitution is a treaty as part of the "supreme law of the land;" and

WHEREAS, George W. Bush has acted to strip Americans of their constitutional rights by ordering indefinite detention of citizens, without access to legal council, without charge and without opportunity to appear before a civil judicial offer to challenge the detention, based solely on the discretionary designation by the President of a U.S. citizen as an "enemy combatant", all in subversion of law; and

WHEREAS, George W. Bush has ordered and authorized the Attorney General to override judicial orders for the release of detainees under U. S. Citizenship and Immigration Services jurisdiction, even though the judicial officer after full hearing has determined that a detainee is held wrongfully by the Government; and

WHEREAS, George W. Bush has admitted that he willfully and repeatedly violated the Foreign Intelligence Surveillance Act, and boasted that he would continue to do so, each violation constituting a felony.

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

Section 1. The Board of Alderman submits that President George W. Bush's actions and admissions constitute ample grounds for his impeachment, and that the General Assembly of the State of North Carolina has good cause for submitting charges to the U.S. House of Representatives under Section 603 as grounds for his impeachment.

Section 2. The Board of Alderman further submits that Articles of Impeachment should charge that George W. Bush has violated his constitutional oath to preserve, protect and defend the Constitution of the United States, by acting in a manner subversive of constitutional government to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the State of North Carolina and the United States of America.

Section 3. George W. Bush, by such conduct, warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any offices of honor, trust or profit under the United States of America.

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 14th day of March, 2006:

Ayes: Mark Chilton, Joal Hall Broun, Dan Coleman, Jacquelyn Gist, John Herrera, Alex Zaffron

Noes: None

Absent or Excused: Randee Haven-O'Donnell

WORKSESSION TO DISCUSS THE ADOPTED CAPITAL IMPROVEMENTS PROGRAM FY2006-2007 THROUGH FY2011-2012 AND UPDATE ON THE SIDEWALK BOND PROGRAM

The purpose of this item was to provide the Board of Aldermen with the opportunity to discuss the Adopted FY2006-07 Capital Improvement Program (CIP). The CIP is a planning tool that enables staff and the Board to prioritize projects to meet the most critical needs over the next six years, protect the Town's positive fiscal position, and ultimately shape a vibrant community. Projects included in the CIP are not guaranteed funding. Each year, these projects are evaluated, prioritized, and considered for funding during the annual budget process. The Board was also requested to provide input on the proposed debt policy that will directly affect the CIP spending plan. The Public Works Director, George Seiz, provided the Board with an update on bond-funded sidewalk projects. The Town's Bond Counsel, Bob Jessup, was available to discuss financing timelines for the sidewalk projects.

Steve Stewart, the Town Manager, addressed the Board.

George Seiz, the town's Public Works Director, addressed the Board and gave an update of sidewalk projects.

Alderman Coleman asked if there is a need for a sidewalk on both sides of North Greensboro Street.

Mayor Chilton said that it is a high priority because it is dangerous to cross the street near Pine, Oak and Cheek Streets. He stated that a lot of work has already been done.

Alderman Broun stated that it is an arterial road and that people speed on it.

Mr. Stewart said he wants to reiterate that a lot of time and money has been spent on the first phase of the sidewalk bond project and that there were sixteen neighborhood meetings last summer. To go back to any part of Phase One means we would be potentially spending a lot of time and money on things not related to building sidewalks. We are two plus years past referendum date. These have gone very slowly and trying to accommodate individual needs is a very time consuming process.

Bob Jessup, the town's bond counsel, addressed the Board. He recommended short-term borrowing for construction financing until all bond authorization is complete.

Alderman Coleman wants a discussion about why, and if, we need the road connected with Martin Luther King Park. He does not see the benefit to neighborhood traffic. He said there could be significant savings by removing a lot of impervious surface.

Alderman Broun said that without the parking lot, the park becomes a neighborhood park and will reduce access for people to get to it and use it. She understands concerns about traffic and impervious surfaces, but it has to serve the entire town.

Alderman Gist said there were alternative designs that did not have a road running through it. She would like to see this as an agenda item in the future showing the various alternatives.

Alderman Zaffron said it might be useful if we knew how much has been spent and what expense might be incurred in a redesign process. As part of analyses, we need to look at cost of redesign at this stage. We would have to pay architects and designers again.

Alderman Coleman asked if we could take time to re-examine and if we could shift planning amount forward in time.

Mr. Stewart said that the CIP comes back to the Board in a few months and that MLK Park project is several years old. He said we try to balance expenditures to avoid spikes. Shifting has a budgetary impact and moving one piece has an impact on every other piece of the plan

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

Alderman Broun stated that the fire station should to be built first.

Alderman Gist stated that the main reason given for redoing our downtown has been to decrease the burden on the residential tax player. We need some kind of policy that sees non-residential tax base expanding.

Alderman Broun stated we do not need a policy if we are not going to do it. In terms of increasing non-residential, we have to be serious about what we are going to put on the ground. She would support an increase in commercial development.

Alderman Zaffron said there is an urgency we profess vs. the real compromises that will have to be made.

Mayor Chilton suggested that maybe the park could be constructed in two phases.

OWASA REPORT ON FUTURE WATER AND SEWER CAPACITY AS POPULATION INCREASES

The Board of Aldermen expressed an interest in the sustainability of population growth vis-à-vis the water resources of the area. This presentation was meant to help answer any related questions Board members might have and to give a chance for OWASA representatives to present the progress they are making in anticipating and preparing for increased future demands on the region's water and wastewater system.

Mac Clark, Chair of the OWASA Board of Directors, addressed the Board.

Ed Holland addressed the Board. He said that the Chapel Hill Town Council asked OWASA about what implications it might have for water/sewer development in the future if density increases in Chapel Hill.

Alderman Coleman asked if OWASA could give the Board suggestions to promote better water efficiency.

Ed Holland said that he would be in touch with the Board to access local interest and support.

Mac Clark said that regulations to achieve good results are more complicated than they appear.

Mayor Chilton expressed concerns regarding a future drought and alternate water supplies that may not be available. He expressed concern that 15-20 years down the road, we may be bumping up against the limits of what our system can handle.

REPORT FROM THE CHILDCARE STUDY COMMITTEE

The Childcare Study Committee presented its report to the Board of Aldermen. The Board was requested to receive the report.

Mayor Chilton said that there are not enough licensed childcare facilities. Zoning issues are barriers to the establishment of childcare facilities and The Table of Permissible Uses should be expanded to almost all zones. The ordinance currently has definition between large and small facilities. The committee suggested a new, clarified definition. Health insurance is very expensive for small childcare providers because they are not part of group programs. He asked the Board inquire whether it is possible for childcare workers in Carrboro to participate in the towns' health insurance program - not at cost to town, but on a reimbursement basis. Employers need to play a more significant role in providing childcare for their employees. We believe that it would be appropriate for the town to help participate in financing. We should put forth a modest amount of money (\$10,000 - \$25,000) a year in a childcare subsidy system that we have in place in Orange County.

Alderman Coleman said it is a fine report and he would like to hear from public and staff and to have more detailed discussion amongst them.

Mayor Chilton said he wanted to spark the Board's thinking. He would like to hear back from staff later this year. He thanked those who helped write the report.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JOAL BROUN TO GO INTO CLOSED SESSION AT 10:34 PM. VOTE: AFFIRMATIVE SIX, ABSENT: ONE (HAVEN – O'DONNELL)

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JOAL BROUN TO ADJOURN THE MEETING AT 10:41 PM. VOTE: AFFIRMATIVE SIX, ABSENT: ONE (HAVEN – O'DONNELL)

Mayor

Deputy Town Clerk