

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 3, 2007 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun (arrived at 7:45 p.m.)
	Dan Coleman
	Jacquelyn Gist
	Randee Haven-O'Donnell
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:

Alderman	John Herrera
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**STREAM CROSSINGS**

Barbara Dewey, a resident of Lorraine Street, expressed concern about streets in her neighborhood that cross Tom's Creek (Lorraine, James, Carol). She stated that these streets are being degraded when there is a hard rain and asked that the staff investigate this. She also asked that the town consider placing barriers along these streets at the stream crossings.

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY JACQUELYN GIST TO REFER THIS MATTER TO THE TOWN STAFF. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, HERRERA)

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**PROCLAMATION ISSUED**

Mayor Chilton issued a proclamation proclaiming the month of April as Sexual Assault Awareness Month.

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**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DAN COLEMAN TO APPROVE THE MARCH 13, 20, AND 27, 2007 MINUTES. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, HERRERA)

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**A REQUEST TO SET A PUBLIC HEARING ON THE TEMPORARY STREET CLOSING PERMIT APPLICATION FOR RIDE OF SILENCE**

The purpose of this agenda item was to set a public hearing on a Street Closing Permit Application submitted by JoAnna Younts for the temporary usage of streets from 7:00 pm to 8:00 pm on Wednesday, May 16, 2007 to accommodate the *Ride of Silence*.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Dan Coleman.

A RESOLUTION SETTING A PUBLIC HEARING ON  
A TEMPORARY STREET CLOSING REQUEST  
Resolution No. 158/2006-07

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that April 24, 2007 at 7:30 PM is hereby set as the date for a public hearing on a request by JoAnna Younts to temporarily use the following streets on Wednesday, May 16, 2007 from 7:00 PM to 8:00 PM for the Ride of Silence event:

1. Old Fayetteville Road (McDougle Elementary) to Hillsborough Street
2. Hillsborough Road to N. Greensboro Street
3. N. Greensboro Street to E. Weaver Street
4. E. Weaver Street to E. Main Street
5. E. Main Street to E. Weaver Street
6. E. Weaver Street to N. Greensboro Street
7. N. Greensboro Street to Hillsborough Street
8. Hillsborough back to (McDougle Elementary) to Old Fayetteville Road

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 3rd day of April 2007:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

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**A REQUEST TO AUTHORIZE IMPLEMENTATION OF A 911 ADDRESS MARKING PROGRAM FEES**

The purpose of this agenda item was to authorize the Fire-Rescue Department to implement an address marking program to the citizens of the Town of Carrboro and the South Orange Fire District. The Board was requested to allow the new address program and approve an amendment to the miscellaneous fees and charges schedule.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Dan Coleman.

A RESOLUTION APPROVING REVISIONS TO THE MISCELLANEOUS FEES AND  
CHARGES SCHEDULE TO INCLUDE FEES FOR 911 ADDRESSING PROGRAM  
Resolution No. 159/2006-07

WHEREAS, the Board of Aldermen approves all updates to the fee schedule.

NOW THEREFORE BE RESOLVED that the Board of Aldermen of the Town of Carrboro approves the stated fees for the installation of signs to improve emergency response efficiency:

\$15 – sign

\$20 – sign with a post

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 3rd day of April 2007:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

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**A REQUEST TO SET A PUBLIC HEARING TO REPEAL RESOLUTION NO. 10/90-91 AND TO ESTABLISH A NEW VERIFIABLE PERCENTAGE GOAL FOR PARTICIPATION BY MINORITY BUSINESS IN AWARDING OF BUILDING CONSTRUCTION CONTRACTS**

The purpose of this agenda item was to request that a public hearing be set in order to repeal Resolution No. 10/90-91 and establish a new verifiable percentage goal for participation by minority businesses in the awarding of building construction contracts pursuant to NCGS 143-138.2. Revised MWBE guidelines will be presented at the public hearing for Board approval.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Dan Coleman.

**A RESOLUTION SETTING A PUBLIC HEARING TO REPEAL RESOLUTION NO. 10/90-91  
AND ESTABLISHING A NEW VERIFIABLE PERCENTAGE GOAL  
Resolution No. 167/2006-07**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. That a public hearing be set for April 24, 2007.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 3rd day of April 2007:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

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**RESOLUTION MAKING AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION**

The purpose of this item was for the Mayor and Board of Aldermen to consider appointing Delores Clark to the Recreation and Parks Commission.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Dan Coleman.

**A RESOLUTION MAKING AN APPOINTMENT TO THE  
RECREATION AND PARKS COMMISSION  
Resolution No. 162/2006-07**

WHEREAS, there are currently six vacant seats on the Recreation and Parks Commission; and

WHEREAS, these positions have been advertised and Delores Clark, Jeannette Daum and Tania Duran-Eyre have submitted applications; and

WHEREAS, the Chair of the Recreation and Parks Commission is recommending that Delores Clark be appointed to one of the vacant seats.

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

Section 1. The Board of Aldermen hereby appoints Delores Clark to a seat on the Recreation and Parks Commission. Ms. Clark's term shall expire in February 2010.

Section 2. 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 3rd day of April 2007:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

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**TOWN CODE AMENDMENT RELATED TO SOLICITATION OF BUSINESS FROM MOTOR VEHICLES**

The purpose of this agenda item was to add several streets to the list of streets and street sections (and/or associated rights-of-way and sidewalks) on which people may not sell or attempt to sell any goods.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DAN COLEMAN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE REGARDING THE LIST OF STREETS WHERE SOLICITATION OF BUSINESS FROM MOTOR VEHICLES IS PROHIBITED."

VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, HERRERA)

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**REQUEST TO SET A PUBLIC HEARING: VOLUNTARY ANNEXATION OF THE ELEMENTARY SCHOOL #10 PROPERTY LOCATED AT 215 EUBANKS ROAD**

The purpose of this item was to accept a petition for the voluntary annexation of the Elementary School #10 property located at 215 Eubanks Road and to set a public hearing for April 24, 2007.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Dan Coleman.

A RESOLUTION SETTING A PUBLIC HEARING  
TO CONSIDER THE ANNEXATION OF ELEMENTARY SCHOOL #10 PROPERTY  
LOCATED AT 215 EUBANKS ROAD  
UPON THE REQUEST OF THE PROPERTY OWNERS

WHEREAS, the Town of Carrboro has received a petition from the owners of 215 Eubanks Road requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

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

Section 1. The Board of Aldermen hereby accepts this petition and shall hold a public hearing on April 24, 2007 to consider the voluntary annexation of this property.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in The Chapel Hill Herald at least ten days prior to the date of the public hearing.

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 3rd day of April 2007:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

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**REQUEST TO RESET PUBLIC HEARING FOR REVIEW OF DOWNTOWN LIVABILITY SPACE/  
URBAN AMENITIES LAND USE ORDINANCE TEXT AMENDMENT**

The proposed text amendment, previously scheduled for the April 24, 2007 public hearing, has been revised and requires additional staff analysis. A resolution re-setting the public hearing on this item for May 22, 2007 was recommended for the Board's adoption

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Dan Coleman.

A RESOLUTION RESETTING A PUBLIC HEARING ON AN AMENDMENT TO THE CARRBORO  
LAND USE ORDINANCE THAT WOULD ESTABLISH URBAN AMENITY SPACE REQUIREMENTS  
FOR DEVELOPMENT IN THE DOWNTOWN

Resolution No. 166/2006-07

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

WHEREAS, the Board of Aldermen has set a public hearing for April 27, 2007 to receive public comment on new requirements for urban livability space in downtown Carrboro, and

WHEREAS, the Town has received a revised application for this text amendment and additional time is needed for staff analysis and refinement of the draft ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen resets the public hearing on this matter for May 22, 2007, and

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

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

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|---|---|
| <input checked="" type="checkbox"/> <i>Appearance Commission</i>              | <input checked="" type="checkbox"/> <i>Recreation and Parks Commission</i>  |
| <input checked="" type="checkbox"/> <i>Transportation Advisory Board</i>      | <input type="checkbox"/> <i>Northern Transition Area Advisory Committee</i> |
| <input checked="" type="checkbox"/> <i>Environmental Advisory Board</i>       | <input type="checkbox"/> _____  |
| <input checked="" type="checkbox"/> <i>Economic Sustainability Commission</i> | <input type="checkbox"/> _____  |

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 3rd day of April 2007:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

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**REPORT FROM GREENWAY SUMMIT GROUP**

The Greenway Summit Work Group has considered the public comment offered during the October 28, 2006 Greenway Summit and made recommendations regarding follow-up action. A resolution directing the staff to prepare a Town Code amendment establishing a Greenway Commission was provided for the Board's use.

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

[Alderman Broun arrived at the meeting.]

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Randee Haven-O'Donnell.

**A RESOLUTION TO CONSIDER CREATING A GREENWAYS COMMISSION  
Resolution No. 165/2006-07**

WHEREAS, the Town and the Carrboro Board of Aldermen demonstrate a solid commitment to the preservation of greenways and open space, constructing trails and connectivity; and

WHEREAS, maintaining this focal point unifies people to the natural landscape of the community while conveying a healthy sense of place; and

WHEREAS, it is suggested that the Board of Aldermen consider creating a Greenways Commission to serve as the initiator, clearinghouse and advisor for all matters of this sort.

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

Section 1. The Board of Aldermen hereby establishes a Greenways Commission and provides it with the following mission statement:

Our mission is to help safeguard the water quality, environment and livability of our community by establishing greenways. Greenways are unbroken chains of preserved open space surrounding stream and wildlife corridors, headwaters, water recharge areas and significant ecosystems that also provide bicycle and pedestrian connections between neighborhoods and for the community. We also encourage effective stewardship and management of this land and promote educational, recreational and public health usage consistent with the protection of its resources.

Section 2. The Board of Aldermen hereby directs the staff to prepare an agenda item and associated Town Code amendments that will rename the Morgan Creek Trail Planning Committee the 'Greenways Commission.' Two changes to the committee structure are proposed; the number of at-large community representatives is to be increased to four and school district representatives be increased to two. Appointed members of the Morgan Creek Trail Planning Committee who are still willing and able to serve are to be re-appointed to the new commission. Otherwise, the MCTPC will be dissolved.

Section 3. This resolution shall become effective at the discretion of the Town Manager, but no later than November 1, 2007.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 3rd day of April 2007:

Ayes: Joal Hall Broun, Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: John Herrera

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### **DISCUSSION OF MAKING AN APPOINTMENT TO THE OWASA BOARD OF DIRECTORS**

The Mayor and Board of Aldermen discussed an appointment to the Orange Water and Sewer Authority Board of Directors. The town currently has one vacant seat on this board.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION MAKING AN APPOINTMENT TO THE  
ORANGE WATER AND SEWER AUTHORITY BOARD OF DIRECTORS  
Resolution No. 157/2006-07

WHEREAS, the Town of Carrboro has two seats on the Orange Water and Sewer Authority Board of Directors; and

WHEREAS, one of these seats is vacant due to the resignation of Laura Sandvik, whose term expires on June 30, 2008; and

WHEREAS, the town staff has advertised this vacancy and has received applications.

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

Section 1. The Board of Aldermen hereby appoints Braxton Foushee to serve as one of the Town of Carrboro's representatives on the OWASA Board of Directors. This term will expire on June 30, 2008.

Section 2. A copy of this resolution shall be forwarded to OWASA.

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 3rd day of April 2007:

Ayes: Joal Hall Broun, Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: John Herrera

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### **REQUEST TO DISCUSS ADVISORY BOARD APPOINTMENT PROCESS**

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO REQUEST THAT THE TOWN STAFF SCHEDULE A BOARD DISCUSSION OF THE ADVISORY BOARDS APPOINTMENT PROCESS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

Alderman Broun asked for a list of issues to be discussed

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### **SUPPORT FOR PUBLIC EMPLOYEE LABOR UNIONS BILL**

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELYN GIST THAT MAYOR CHILTON FORWARD A LETTER TO SENATORS COWELL AND KINNAIRD SUPPORTING THE PUBLIC EMPLOYEE LABOR UNIONS BILL. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

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### **REQUEST FOR REPORT ON CITY OF WILSON FIBER OPTIC NETWORK**

Alderman Coleman asked if the town staff could comment on a March 2007 article in Southern City about the City of Wilson's decision to construct a fiber optic network in their city and the implications of this kind of decision might be for the Town of Carrboro.

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**TEN-YEAR PLAN TO END HOMELESSNESS**

Alderman Coleman asked that the Board comment on a letter received a letter from Moses Carey requesting that Carrboro contribute \$8,400 (14% of the cost) to hire a plan coordinator to direct implementation of the 10 Year Plan to End Homelessness.

Mr. Stewart informed the Board that this report is scheduled for Board consideration on May 1<sup>st</sup>.

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**REQUEST FOR REPORT ON LOITERING AND CAR BREAKINS**

Alderman Gist asked for a report on complaints about problems associated with the loitering at the intersection of Jones Ferry Road and Davie Road.

Alderman Haven-O'Donnell asked that the report comment on the recent car break-ins.

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**COMMUNITY FORUM SCHEDULED**

Mayor Chilton announced that the first community forum on the update of the Northern Small Area Implementation Plan would be held on April 21<sup>st</sup> at McDougle School and invited citizens to attend.

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MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 8:15 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk