

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 19, 2007 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
	John Herrera
	Randee Haven-O'Donnell
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

### **APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO APPROVE THE JUNE 5, 2007 MINUTES. VOTE: AFFIRMATIVE ALL

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### **A REQUEST TO SET A PUBLIC HEARING ON A STREET CLOSING PERMIT REQUEST FOR ST. JOSEPH CME CHURCH FRANGELISM IN THE PARK EVENT**

The purpose of this item was to request that the Board of Aldermen set a public hearing August 28, 2007 on a Street Closing Permit Application submitted by St. Joseph CME Church to temporarily close Broad Street between Fowler Street and Hill Street on Saturday, September 8<sup>th</sup> from 7:30 AM to 5:00 PM for the "Frangelism in the Park" event.

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

#### **A RESOLUTION SETTING A PUBLIC HEARING ON A TEMPORARY STREET CLOSING REQUEST FOR "FRANGELISM IN THE PARK" EVENT Resolution No. 215/2006-07**

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that August 28, 2007 at 7:30 PM is hereby set as the date for a public hearing on a request by St. Joseph's CME Church to temporarily close and use the following street on Saturday, September 8, 2007 from 7:30 AM to 5:00 PM for the "Frangelism in the Park" event:

1. Broad Street between Fowler Street and Hill Street

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19<sup>th</sup> day of June 2007:

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

Noes: None

Absent or Excused: None

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**A REQUEST TO APPROVE A BUDGET AMENDMENT**

The Board was requested to approve a budget amendment that acknowledges project spending for the entire \$2,590,000 borrowed in bond anticipation notes (BANS).

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY 2006-07 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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**A REQUEST TO ADOPT A BUDGET ORDINANCE TO TRANSFER CASH FROM GENERAL FUND TO CAPITAL PROJECTS FUND FOR FIRE STATION #2**

The Board was requested to adopt a budget amendment that advances cash (\$20,000) from the General Fund to the Capital Projects Fund to lend money for architectural and various construction surveys expended through June 30, 2007 for the fire substation. These funds shall be reimbursed to the general fund upon receipt of installment financing proceeds in FY07-08.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2006-07 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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**REQUEST TO APPROVE DESIGNATION OF FUND BALANCE FOR FY2006-07 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED**

The Town has identified several projects totaling \$308,325 within the FY2006-07 general fund budget whereby funds approved by the Board have not been spent but will be needed when the projects are brought to fruition and a vendor is identified to purchase the service or item. The funds, if not spent or reserved for next year, will lapse to undesignated fund balance within the General Fund at June 30, 2007. The Board was requested to set aside these funds for the upcoming year by designating fund balance for appropriation when needed in the upcoming fiscal year.

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

A RESOLUTION RESERVING FUND BALANCE FOR FY2006-07 ITEMS  
NOT YET COMPLETED OR ENCUMBERED  
Resolution 221/2006-07

WHEREAS, the Town Manager, Steven E. Stewart, has described to the Board the desirability of adopting a resolution to reserve fund balance for the following projects:

BE IT RESOLVED by the Board of Aldermen that fund balance be reserved to fund the following items:

PROJECTS	DEPARTMENT	COST
CD Memorabilia	Govt Support	\$ 468
Arts Committee	Advisory Boards	\$ 3,022
OWASA Subsidy	Public Works	\$ 102,000
Unexpended Debt Service	Debt Service	\$ 145,000
Ongoing Narcotics Investigations	Police	\$ 5,000
Fire Car Seat Grant	Fire	\$ 1,603
Fines and Forfeitures	Police	\$ 29,982
Traffic Light Fiber Optic Design Cost	Info. Technology	\$ 5,000
Adams Tract Grant, Local Match	Public Works	\$ 6,250
Reverse E911 System, Town Share	Fire	\$ 10,000
<b>TOTAL FUND BALANCE DESIGNATED</b>		<b>\$ 308,325</b>

**CD & Memorabilia (\$468)** - Annually, the CD & Memorabilia show is held. Given that the show is self-supporting, funds remaining are carried over.

**Arts Committee (\$3,022)** – The Arts Committee has unexpended funds remaining and requests to reserve the funds for use in the upcoming year.

**OWASA Subsidy (\$102,000)** – The unspent portion of the OWASA sewer subsidy budget is reserved annually until spent entirely.

**Unexpended Debt Service (\$145,000)** - Fire escape project and sewer outlay construction will not be committed until FY07-08. These items are financed. Unexpended debt service in FY06-07 will be carried over to cover the debt payment on these projects. In addition, the unexpended debt carried over from FY05-06 will continue to be carried over. These funds will offset future debt as it arises.

**Ongoing Narcotics Investigations (\$5,000)** - The Police Department’s requests that unexpended funds for undercover investigations be carried over to the next fiscal year.

**Fire Seat Grant (\$1,603)** – The Fire Department received a grant in previous years to purchase car seats and install them in the vehicles on a sliding fee scale. Revenue earned and unspent funds are carried over to continue the program.

**Fines and Forfeitures (\$29,982)** –The Carrboro Police Department uses these funds to supplement ongoing investigations and anticipates using the unexpended funds toward investigations activity in the upcoming year.

**Traffic Light Fiber Optic Design (\$5,000)** Carrboro and Chapel Hill are being given the chance to place additional fiber-optic cabling alongside the traffic light fiber as it is being installed during the upgrade of the NCDOT traffic light system that spans Chapel-Hill and Carrboro. Funds are set aside for the design phase to discuss any possible uses for this extra fiber-optic cabling.

**Adams Tract, grant match (\$6,250)** - This represents the local match for a grant for a Recreational Trails Program (RTP) for the construction of a pedestrian bridge.

**Reverse E911 System (\$10,000)** - This is a high-speed telephone emergency communications system service that Carrboro, Chapel Hill, and Orange County have agreed to purchase. It employs a one-of-a-kind Internet mapping capability for geographic targeting of calls, coupled with a high speed telephone calling system capable of delivering customized pre-recorded emergency messages directly to homes, businesses and cell phones at a rate of 60,000 calls per hour. The Town of Carrboro can control its emergency broadcasts from anywhere in the world via a secure Internet Portal.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

**APPROVAL OF 2007-08 BUDGET RECOMMENDATIONS FROM THE HUMAN SERVICES COMMISSION**

The purpose of this item was to request that the Board of Aldermen approve the recommendations from the Human Services Commission for funding requests from non-profit agencies providing services to Carrboro citizens.

Alderman Broun asked to be recused from voting on this matter due to her association with one of the agencies receiving funding.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO RECUSE ALDERMAN BROUN. VOTE: AFFIRMATIVE ALL

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

A RESOLUTION ACCEPTING THE RECOMMENDATIONS FROM  
THE HUMAN SERVICES ADVISORY COMMISSION FOR  
2007-08 HUMAN SERVICE FUNDING  
Resolution No. 211/2006-07

WHEREAS, the Town of Carrboro established as a policy to support human services agencies that provide invaluable services to Carrboro citizens; and

WHEREAS, forty-six agencies applied for funding through the established Human Services funding process; and

WHEREAS, the Human Services Advisory Commission has met with all applicants that applied for funding in the 2007-08 funding cycle; and

WHEREAS, the town staff indicated that the human services funding level for the year 2007-08 is \$125,362.00; and

WHEREAS, the total amount of funding requests for 2007-08 is \$236,399.86, including the amount needed to assist the Ten Year Plan to End Chronic Homelessness partnering governments to staff a position to support the implementation on the Ten Year Plan to End Chronic Homelessness.

NOW THEREFORE, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES THAT:

Section 1. There is \$125,362 available for allocation to Human Services agencies in the 2007-08 budgets.

Section 2. That the Human Services Advisory Commission and the Board of Aldermen liaison have heard the requests from the applicants and are making a final recommendation for allocation of the available funds.

NOW THEREFORE BE IT RESOLVED: that the Carrboro Board of Aldermen approves the recommendation for funding by the Human Services Advisory Commission in the amount of \$125,362 for budget year 2007-08.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: Joal Hall Broun

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**A REQUEST TO APPROVE A BUDGET AMENDMENT FOR THE NORTHERN STUDY AREA PLAN IMPLEMENTATION REVIEW COMMITTEE**

The Board was requested to approve a budget amendment transferring \$3,500 from contingency to the Planning budget to provide sufficient funds for the facilitation of the Northern Study Area Plan Implementation Review Committee (NSAPIRC) process that is underway.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2006-07 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO AWARD A CONSTRUCTION CONTRACT FOR VARIOUS SIDEWALK BOND PROJECTS**

The purpose of this agenda item was to request that the Board of Aldermen authorize the Town Manager to award a construction contract for various sidewalk bond projects.

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

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO AWARD A CONSTRUCTION CONTRACT FOR VARIOUS SIDEWALK BOND PROJECTS**

Resolution No. 232/2006-07

Section 1. The Board of Aldermen hereby authorizes the Town Manager to award a contract for the sidewalk bond projects in an amount not to exceed the budgeted amount of \$555,600.

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 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO AWARD A CONSTRUCTION CONTRACT FOR THE NORTHERN ANNEXATION AREA SEWER EXTENSION**

The purpose of this agenda item was to request that the Board of Aldermen authorize the Town Manager to award a construction contract for the Northern Annexation Area sewer extension project.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO  
AWARD A CONSTRUCTION CONTRACT FOR THE  
NORTHERN ANNEXATION AREA SEWER EXTENSION  
Resolution No. 228/2006-07

Section 1. The Board of Aldermen hereby authorizes the Town Manager to award the contract for the Northern Annexation Area sewer extension project not to exceed the budgeted amount of \$400,000.

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 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**REQUEST TO APPROVE COMMENTS ON PROPOSED NUTRIENT MANAGEMENT FOR JORDAN LAKE**

In follow-up to a presentation on the proposed rule for Jordan Lake, staff has compiled a list of possible comments that may, if the Board desires, be forwarded to the Environmental Management Commission during the public comment period.

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

A RESOLUTION FINALIZING COMMENTS ON THE PROPOSED JORDAN LAKE  
NUTRIENT MANAGEMENT RULES  
Resolution No.230/2006-07

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations are appropriate and beneficial, and;

WHEREAS, nutrient management rules have been promulgated for Jordan Lake due to the lake's lack of compliance with chlorophyll standards, and;

WHEREAS, the Board of Aldermen has considered comments offered by Sydney Miller of TJCOG as well as by staff regarding modification to these rules.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen directs staff to prepare a comment letter and forward to the EMC, with a copy to the legislative delegation.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**AWARD OF CONSTRUCTION CONTRACT FOR THREE SIDEWALK ENHANCEMENT PROJECTS**

The purpose of this agenda item was to authorize the Town Manager to execute with concurrence, on behalf of the Town of Carrboro, a contract with White Oak Construction Corporation for construction of 3 sidewalk enhancement projects; E-4545 Old Fayetteville Road, E-4780 Jones Ferry Road, and E-4781 Brewer Lane.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT AND ANY CHANGE ORDERS WITHIN THE BUDGETED AMOUNT WITH WHITE OAK CONSTRUCTION CORPORATION FOR THE PROJECT KNOWN AS TOWN OF CARRBORO SIDEWALK ENHANCEMENT PROJECTS E-4545 OLD FAYETTEVILLE ROAD, E-4780 JONES FERRY ROAD, E-4781 BREWER'S LANE  
Resolution No. 229/2006-07

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

Section 1. The Town Manager is hereby authorized to execute on behalf of the Town of Carrboro a contract with White Oak Construction Corporation in the amount of \$307,877.82 and any change orders within the budgeted amount for the Town Of Carrboro sidewalk enhancement projects E-4545 Old Fayetteville Road (State Project No 34069.1.1) E-4780 Jones Ferry Road (State Project No 36323.1.1) E-4781 Brewers Lane (State Project No 36324.1.1) and Concurrence in Award, provided the award of the contract is approved by the North Carolina Department of Transportation.

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 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**REQUEST TO SET A PUBLIC HEARING FOR THE ALBERTA MIXED USE PROJECT  
CONDITIONAL USE PERMIT**

N. R. Milian Associates, on behalf of Carr Mill Limited Partnership, has submitted an application for a conditional use permit (CUP) to allow for the construction of a four-story mixed-use building to be located at 300 Roberson Street. Prior to reaching a decision on a request for a CUP, the Board must hold a public hearing to receive input. Town Staff recommended that the Board set a public hearing for August 28, 2007 for consideration of the conditional use permit request.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON THE CONDITIONAL USE PERMIT  
REQUEST FOR THE ALBERTA MIXED USE PROJECT LOCATED AT 300 ROBERSON STREET  
Resolution No. 225/2006-07**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed conditional use permit projects; and

WHEREAS, an application has been received for a conditional use permit for the Alberta mixed-use project located at 300 Roberson Street.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on August 28, 2007 to consider the conditional use permit request for the Alberta mixed-use project.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**A REQUEST TO APPROVE A BUDGET AMENDMENT TO FUND RECYCLING STRATEGIES**

The Board was requested to approve a budget amendment transferring \$2,880 from contingency to the Public Works Department as directed by the Board at its regular meeting of June 12, 2007. The funds will enable town staff to proceed with alternative waste reduction and recycling strategies.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY2006-07 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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**REQUEST TO SET A PUBLIC HEARING FOR THE PERMANENT CLOSING OF A SECTION OF CENTER STREET RIGHT-OF-WAY**

The purpose of this agenda item was to set a public hearing on a request to permanently close a section of Center Street right-of-way adjacent to 203 Center Street.

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

RESOLUTION DECLARING THE INTENT OF THE BOARD OF ALDERMEN TO CLOSE A 30 FOOT WIDE BY 62 FEET LONG SECTION OF CENTER STREET RIGHT-OF-WAY ADJACENT TO THE FOLLOWING PROPERTIES:

PIN: 9778-87-0991 (203 CENTER STREET)

AND

PIN:9778-867-2082 (500 POPLAR STREET)

FURTHER DESCRIBED AS: BEGINNING AT A POINT WHERE THE SOUTH PROPERTY LINE OF 203 CENTER STREET INTERSECTS THE CENTER STREET RIGHT-OF-WAY, THEN NORTHERLY ALONG THE CENTER STREET RIGHT-OF-WAY A DISTANCE OF 62 FEET, THEN EASTERLY ALONG THE CENTER STREET RIGHT-OF-WAY FOR A DISTANCE OF 30 FEET, THEN SOUTHERLY ALONG THE CENTER STREET RIGHT-OF-WAY FOR A DISTANCE OF 62 FEET, AND THEN WESTERLY A DISTANCE OF 30 FEET TO THE POINT OF BEGINNING, AND SETTING A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN THIS PERMANENT CLOSING

Resolution No. 227/2006-07

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen hereby declares its intention to close a 30 foot wide section of Center Street right-of way adjacent to the following two properties: PIN: 9778-87-0991 and PIN: 9778-867-2082.

Section 2. The Board of Aldermen hereby declares its intention to reserve its right, title and interest in any utility improvements or easements within the 30 foot wide right-of-way proposed for closing. This reservation shall also extend to utility improvements or easements owned by private utilities which at the time of the proposed street closing have a utility agreement or franchise with the Town. Such utilities shall include but are not limited to water, sewer, electrical, gas, telephone and cable television.

Section 3. The Board of Aldermen shall hold a public hearing on the proposed right-of-way closing at its regular meeting on August 28, 2007.

Section 4. This resolution shall be published once a week for four (4) successive weeks prior to the hearing and a copy shall be sent by certified mail to the persons who, according to the county tax records, own property adjoining the right-of-way proposed to be closed. In addition a notice of the proposed closing and public hearing thereon shall be prominently posted in at least two places along the right-of-way to be closed.

Section 5. Should the right-of-way be closed as proposed, then all right, title and interest, excluding utility improvements and easements, in the right-of-way closed pursuant to this order shall be conclusively presumed to be vested in those persons owning the parcels abutting the right-of-way.

Section 6. 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 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**TOWN CODE AMENDMENT REVISING THE PERSONNEL ORDINANCE AS IT RELATES TO PERSONNEL RECORDS AND BEREAVEMENT LEAVE**

The purpose of this item was to present to the Board the changes to the Personnel Ordinance that would update the section on personnel records in accordance with the North Carolina General Statutes and correctly reflect the Town's policy on bereavement leave.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE AS IT PERTAINS TO PERSONNEL RECORDS AND BEREAVEMENT LEAVE." VOTE: AFFIRMATIVE ALL

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**APPROVAL OF A MUNICIPAL AGREEMENT WITH NCDOT FOR A COMPREHENSIVE BICYCLE PLAN FOR CARRBORO**

The Town of Carrboro has been approved to receive state monies to develop a comprehensive bicycle plan for the Town. NCDOT has prepared a Municipal Agreement for this project. A resolution authorizing the Mayor and Town Clerk to sign and execute the Municipal Agreement was recommended for the Board's approval.

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

**A RESOLUTION AUTHORIZING EXECUTION OF A MUNICIPAL AGREEMENT  
WITH NCDOT FOR A COMPREHENSIVE BICYCLE PLAN  
Resolution No. 234/2006-2007**

WHEREAS, in accordance with G.S. 136-66.2.1, the N.C. General Assembly requires each Municipality, with the cooperation of the North Carolina Department of Transportation (the "Department") to develop a comprehensive transportation plan that will serve present and anticipated travel demand; and

WHEREAS, the Department has initiated a program to encourage the development of comprehensive municipal bicycle plans and pedestrian plans; and

WHEREAS, to encourage the development of comprehensive local bicycle plans and pedestrian plans, the Department's Division of Bicycle and Pedestrian Transportation (DBPT) and the Transportation Planning Branch (TPB) have created a matching grant program to fund plan development; and

WHEREAS, the Department and the Municipality have agreed that a comprehensive plan is needed to evaluate and identify critical municipal needs for planning and/or implementation of Bicycle improvements; and

WHEREAS, the Department and the Municipality have agreed to participate in the cost of this comprehensive plan with the Municipality agreeing to coordinate and oversee the plan development process (the "Project") in accordance with the provisions hereinafter set forth; and

WHEREAS, the Town of Carrboro desires to enter into a municipal agreement with the Department whereby the Municipality shall develop a Bicycle Comprehensive Plan (Estimated cost of the Project is \$65,000); and

WHEREAS, the Department shall reimburse the Municipality for seventy percent (70%) of the actual Project costs, in an amount not to exceed \$45,500 as approved by the Department's Board of Transportation.

NOW, THEREFORE, BE IT RESOLVED that this Project is hereby formally approved by the Board of Aldermen of the Town of Carrboro and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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### **CONFIRMATION OF INSURANCE GUIDELINES FOR FACILITY RESERVATIONS**

The purpose of this agenda item is to request the Board of Aldermen to clarify the insurance guidelines for Town facility reservations.

Mayor Chilton proposed that enforcement of the no food at the Really Really Free Market begin in August with notification given at the July market.

Anita Jones-McNair suggested that signs be posted at the Town Commons notifying folks that no food will be allowed at the Really Really Free Market.

Mr. Stewart suggested that a town staff person be present at the July Really Really Free Market to hand out notices that no food will be allowed during reserved events on the Town Commons.

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

### **A RESOLUTION MAINTAINING INSURANCE REQUIREMENTS FOR SOME FACILITY RESERVATIONS**

WHEREAS, the Recreation and Parks Department has requested that the Mayor and Board of Aldermen review and maintain current insurance requirements for some reservations.

WHEREAS, the Mayor and Board of Aldermen have reviewed the current insurance guidelines.

NOW, THEREFORE, THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVE

Section 1. The Board hereby approves to uphold the current insurance guidelines for facility reservations.

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 19th day of June 2007:

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

Noes: Dan Coleman

Absent or Excused: None

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**ADOPTION OF FISCAL YEAR 2007-08 BUDGET**

By state law, the Board must approve a balanced budget for the Carrboro community by July 1 of every year. The purpose of this agenda item was to complete budget discussions and to consider adoption of the budget ordinance.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "ANNUAL BUDGET ORDINANCE, TOWN OF CARRBORO, NORTH CAROLINA, FY2007-08." VOTE: AFFIRMATIVE ALL

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

A RESOLUTION ADOPTING THE CLASSIFICATION AND PAY PLAN FOR FISCAL YEAR 2007-08  
Resolution No. 216/2007-08

WHEREAS, the Board of Aldermen adopts a comprehensive position classification and pay plan each year in conjunction with adopting an annual budget ordinance; and

WHEREAS, the town staff has prepared the 2007-08 Pay Plan.

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

Section 1. The Pay Plan, dated July 1, 2007 – June 30, 2008, a copy of which is attached to this resolution, is hereby adopted as the official Pay Plan for the 2007-2008 fiscal year.

Section 2. All previously adopted versions of the Position Classification and Pay Plans, which conflict with this resolution, are hereby repealed.

Section 3. The pay adjustments approved for the FY 2007-2008 budget shall become effective on the pay period beginning July 1.

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 19th day of June 2007:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER FOUR OF THE CARRBORO TOWN CODE TO REFLECT PAY PLAN MODIFICATIONS FOR FY07-08." VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY DAN COLEMAN TO AMEND THE TOWN COMMONS RESERVATIONS POLICY TO INDICATE THAT RESERVATIONS ARE FREE FOR 0-4 HOURS IF TOWN STAFF DOES NOT WORK DURING THE EVENT, THERE IS NO PUBLIC ACCESS TO TOWN HALL BATHROOMS, NO MONEY IS EXCHANGED DURING THE EVENT, NO ELECTRICITY IS USED, AND THE EVENT IS OPEN TO THE PUBLIC. THESE FREE RESERVATIONS WOULD BE AVAILABLE ON A FIRST-COME, FIRST-SERVE BASIS. FREE RESERVATIONS WILL BE LIMITED TO NO MORE THAN ONCE PER MONTH BY ANY ONE GROUP, WITH TOWN EVENTS TAKING PRECEDENCE, AND THIS POLICY WILL BE REVIEWED BY THE BOARD AFTER ONE YEAR. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (HERRERA, ZAFFRON, BROUN)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY DAN COLEMAN TO ADOPT THE MISCELLANEOUS FEES AND CHARGES SCHEDULE, AS AMENDED IN THE PREVIOUS MOTION VOTE: AFFIRMATIVE ALL

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

**REIMBURSEMENT RESOLUTION**  
Resolution No. 217/2006-07

WHEREAS, the Town Manager, Steven E. Stewart, has described to the Board the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase installment financing.

BE IT RESOLVED by the Board of Aldermen as follows:

Section 1. The equipment and vehicles to be purchased in FY2007-08 include the following:

<b>Fiscal Year 2007-2008</b>			<b>Cost</b>
Replacement	Police	Patrol Vehicles (7)	\$ 184,716
Replacement	IT	MDTs for Patrol Vehicles (6)	\$ 49,680
Replacement	Fire	Mid size SUV-Replace Vehicle #983	\$ 35,304
Replacement	Fire	Aerial Truck and Apparatus-#971	\$ 918,994
Replacement	Public Works	L&G-Dump Truck - replace #26	\$ 37,994
Replacement	Public Works	L&G-Pickup Truck-replace #25	\$ 20,424
Replacement	Public Works	Streets-Dump Truck-replace vehicle #37	\$ 118,994
Replacement	Recreation	Wilson Park Bathroom Facility	\$ 154,000
Replacement	Public Works	Solid Waste-Rear Loader-replace vehicle # 46	\$ 238,994
Replacement	Public Works	Fleet Maintenance-Small pick up-replace #11	\$ 14,604
Replacement	Public Works	Supervision-Small pick up	\$ 14,604
Replacement	Public Works	Building Maintenance-Small pick up-replace #13	\$ 14,604
Addition	Public Works	Sewer Outfall (moved from FY06-07)	\$ 400,000
Addition	Public Works	Fire Escape (moved from FY06-07)	\$ 46,000
<b>TOTAL</b>			<b>\$ 2,248,912</b>

Section 2. The expected type of financing (which may be subject to change) for the items above is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20. The currently expected maximum amount of obligations to be issued or contracted for the items is \$2,248,912.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for the aforementioned items are intended to be reimbursed from the financing proceeds up to an amount of \$2,248,912.

Section 4. The adoption of this resolution is intended as a declaration of the Town's official intent to reimburse project expenditures from financing proceeds.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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

**A RESOLUTION APPROVING COMPENSATION FOR ELECTED OFFICIALS**  
Resolution No. 218/2006-07

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

Section 1. The Board approves a 5.0% increase for the Mayor and members of the Board of Aldermen for Fiscal Year 2007-08, effective July 1, 2007, reflecting the average overall increase in compensation for employees.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: Joal Hall Broun

Absent or Excused: None

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

A RESOLUTION APPROVING THE 2007-08 MEMORANDUM OF UNDERSTANDING  
WITH THE BROUGH LAW FIRM  
Resolution No. 237/2006-07

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Memorandum of Understanding with the Brough Law Firm for the 2007-08 Fiscal Year is hereby approved.

Section 2. The resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**FINAL REPORT FROM THE NEW HORIZONS TASK FORCE**

Laura Van Sant, Peggy Vincent and Lydia Lavelle, members of the New Horizons Task Force, presented their final update on the activities of the Task Force as follows:

**SINCE LAST PRESENTATION ON FEBRUARY 20, 2007:**

- Adopted a resolution regarding the proposed transfer station
- Made appointments to the Rogers Road Study Area Task Force and NSAPIRC
- Met with Transportation Advisory Board Chair Heidi Perry
- Made recommendations regarding advisory board appointments and operations
- Commented on the proposed budget
- Discussed remaining annexation issues and lingering dissatisfaction and resentment
- Only resolution NHTF has done
- Asked BOA to “respond to the BOCC request for a recommendation concerning the Waste Transfer Station by recommending a complete, thorough, and systematic investigation and evaluation of potential sites”
- Letter drafted and sent to BOA detailing pertinent factors recommended for this consideration

**MEETING WITH TAB CHAIR HEIDI PERRY**

- Discussed policies and initiatives related to the annexed areas, including connector-roads policy, commercial development, planning of bike and pedestrian paths, current and future traffic issues on Eubanks, Homestead and Rogers Road

## ADVISORY BOARD APPOINTMENTS

- NHTF members addressed neighborhood concerns about:
  - the application process
  - the internal operations of the advisory boards
  - the role of the BOA in the appointment process
  
- NHTF studied this at length over a few meetings and has recommendations for the BOA:
  - Enforce October 31 submittal deadlines
  - Enforce twelve month application expiration
  - Follow up with persons not selected for their initial board choice
  - Consider dividing into two appointment sessions per year
  - Improve advertisement of vacancies

## ADVISORY BOARD APPOINTMENTS: INTERNAL OPERATIONS

- Each board should have bylaws, and follow these bylaws
- Have advisory board members take responsibility for the following:
  - Nominating and selecting the Chair
  - Making the advisory board candidate recommendations

## ADVISORY BOARD APPOINTMENTS: ROLE OF THE BOA

- Clarify and communicate role of BOA as to appointments to Town advisory boards
  - Does BOA participate in active selection of candidates?
  - Is the BOA limited to voting on recommended candidates?
- Clarify role of BOA liaisons
  - May recommend against board reappointment

## REMAINING ANNEXATION

Provision of Service – On the effective date of annexation, the Town of Carrboro will provide each major municipal service on substantially the same basis as in the same manner, as such services are provided within the rest of the Town immediately before annexation.

### General Street Maintenance

Street name signs  
Traffic control signs and markings  
Street paving (town streets approximately every 15 years)  
Street right-of-way maintenance (mow 4 times/season)  
Snow removal (by town street classification priority)

### Police Response Areas

Carrboro is currently divided into three patrol areas  
The department anticipates redesigning the patrol areas  
Two additional patrol officers will be needed to serve the 2 annexation areas

### Future Fire Department Improvements

A fire substation is proposed for the northern part of Carrboro to accommodate anticipated growth and to improve fire coverage. The town's current CIP anticipates efforts to begin for a fire substation if FY06-07  
Six additional fire hydrants may be needed to meet a 1,000 foot separation standard once OWASA waterlines are extended throughout Annexation Area B with estimated current cost of \$3,500 each.

### Public Transportation

Carrboro contracts with Chapel Hill Transit for the provision of public transit as part of the annual budget process.

Potentially, transit services could be extended to the Rogers Road area if a decision is made to appropriate available funds and to alter existing services in keeping with demand.

### Sewer Service

The Town of Carrboro plans to provide for the extension of approximately 900 linear feet of 16-inch outfall line to a point where sewer service will be generally available to Annexation Area B.

While current home owners are not realistically able to benefit from this extension, this "benefit" has prompted a new - and controversial - development submission

### REMAINING ANNEXATION ISSUES

- With the annexation, new residents started paying Carrboro taxes
- Taxes: the number one concern on the survey, continue to be a concern
- NHTF asks that the BOA revisit these annexation items that were part of the original presentation to the community, and that should be continually addressed and followed up on
- NHTF asks that the BOA have an update on these items in June 2008

Alderman Haven-O'Donnell asked that the PowerPoint presentation be placed on the town's website.

Alderman Zaffron asked that the town staff respond to the questions posed by the New Horizons Task Force.

Alderman Coleman asked that the town staff include the New Horizon Task Force's recommendations regarding advisory board appointments in the agenda items for the Board's upcoming discussion of advisory board appointments.

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

A RESOLUTION COMMENDING THE MEMBERS OF THE  
NEW HORIZONS TASK FORCE FOR THEIR EFFORTS TO IMPROVE COMMUNICATION BETWEEN  
THE BOARD OF ALDERMEN AND THE  
NEWLY ANNEXED AREA IN NORTHERN CARRBORO  
Resolution No. 224/2006-07

WHEREAS, the Carrboro Board of Aldermen, on April 4, 2006, established a New Horizons Task Force; and

WHEREAS, the New Horizons Task Force was charged with being a formal communication link between the Board of Aldermen and residents of the newly annexed area; and

WHEREAS, as directed, the New Horizons Task Force has met regularly, surveyed the residents of the newly annexed area, discussed many issues relevant to the newly annexed area, and formally reported to the Board on three occasions (9/19/06, 2/20/07, and 6/19/07);

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

Section 1. The New Horizons Task Force's commitment of time and energy to the project of helping the Board of Aldermen more fully understand the sentiments of residents in the newly annexed area is commended and greatly appreciated.

Section 2. The New Horizons Task Force is hereby officially dissolved.

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 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**REVIEW OF REVISED PLANS FOR SMITH LEVEL ROAD TRANSPORTATION IMPROVEMENTS**

Transportation improvements to Smith Level Road have been included in the Town's Local Transportation Improvement Program Priority list for many years. Since 2001, the Town has been actively negotiating with NCDOT regarding the cross section and design elements that are to be included in the project. A revised plan has been provided and was presented to the Board of Aldermen on May 15, 2007 and referred to advisory boards and others for comment. A resolution that outlines comments on the revised plan and other actions is provided for the Board's use.

Adena Messenger, the town's Transportation Planner, made the presentation.

Jim Dunlap a NCDOT Congestion Management Engineer, addressed the school's concerns about school buses using the roundabout, stated that roundabouts are safer for pedestrians and motorists, and stated that a signal should not be needed at the school but that this would be reviewed further. He also stated that four lanes are needed from BPW Club Road to N.C. 54 because of projected traffic volumes. He stated that they would not recommend a median opening at Berryhill because of safety concerns.

Steve Brown, Project Manager from Project Management and Environmental Assessment Branch with NCDOT, stated that extension of the Smith Level Road project to Frank Porter Graham is outside the limits of the current project and funding would not be available for that extension. He stated that it might be possible to extend the pedestrian facilities up to Frank Porter Graham.

Tom High urged the Board to think about safety aspects of a wider cross section, the wider aspect of asphalt will appear to be more of a through way, and urged Board to go with smaller cross section.

Heidi Perry encouraged a small cross section.

Lisa Stuckey, a member of the Chapel Hill-Carrboro City School Board, stated that the School Board has not looked at these road improvements and stated concern about kids getting trapped in the middle of the roundabout.

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

**A RESOLUTION PROVIDING COMMENTS ON THE REVISED DESIGN OF IMPROVEMENTS TO SMITH LEVEL ROAD – PROJECT U-2803  
Resolution No. 214/2006-07**

WHEREAS, widening of Smith Level Road has been part of the local TIP since 1990; and

WHEREAS, the North Carolina Board of Transportation included the project in the 1993-1999 TIP and designated it Project U-2803; and

WHEREAS, in 2006, the Town made a request of the North Carolina Department of Transportation to move ahead with Project U-2803; and

WHEREAS the Carrboro Board of Aldermen have reviewed the comments from the Transportation Advisory Board, the Smith Level Road Task Force and the Chapel Hill-Carrboro City Schools.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen provide the following comments to NCDOT:

1. That signal and crosswalk markings be included at the roundabout;
2. That bikelanes and sidewalks be extended to Frank Porter Graham Elementary School;
3. That traffic light sensors be sensitive to bicycles;
4. That pedestrian crosswalk buttons be provided;
5. That a safe pedestrian crossing be provided at Frank Porter Graham Elementary School to include an island;
6. That the roundabout be designed to accommodate new State school bus length requirements;
7. That a road design be used to reflect a 35 m.p.h. speed limit with a maximum of 11-foot travel lanes; and
8. That through truck traffic be prohibited.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: Joal Hall Broun

Absent or Excused: None

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### **FINAL REPORT FROM THE SMITH LEVEL ROAD TASK FORCE**

The Smith Level Road Task Force has completed its data collection and analysis and is ready to present its final report. Resolutions A and B, attached, have been prepared and would formalize receipt of the final report by the Board of Aldermen, and which lists possible follow up actions.

Terri Buckner, Chair of the Smith Level Road T.F., made the presentation. She stated that the Task Force made the following recommendations:

- Reduce the speed limit on the southern section of Smith Level Road to 35 m.p.h.
- Examine the possibility of eliminating one of the two turn lanes and one of the merge lanes at the entrance of Smith Level Road coming off 15-501
- Impose truck restrictions on the section of Smith Level Road between Damascus Church Road and South Greensboro Street
- Examine the possibility of narrowing the traffic lanes by 6" on the section of the road between Rock haven and 15-501
- Request the NCDOT conduct a traffic and feasibility study at Damascus Church Road and Smith Level Road
- Enforce speed limits

- Adopt the section of Smith Level Road from Culbreth to 15-501 and from 15-501 to Old Lystra Road as part of Carrboro and Chapel Hill's bicycle plan
- Extend and line the shoulders along Smith Level Road and Rock Haven to 15-501
- Add a multi-use path along one side of Smith Level Road from Ray Road to 15-501
- Explore landowner compacts (secure easements) to provide a right-of-way or public trail/greenway access for pedestrians and bicyclists from 15-501 to the high school
- Investigate the feasibility of adding an Orange Public Transit route from the southern section of Smith Level Road to Rock Haven (connecting with Chapel Hill Transit) and to the UNC park and ride lot on 15-501
- Until better alternatives are provided, encourage parents to utilize school buses to transport children to school instead of driving.

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

A RESOLUTION RECEIVING THE FINAL REPORT  
FROM THE SMITH LEVEL ROAD TASK FORCE  
Resolution No. 222/2006-07

WHEREAS, in September and October of 2006, the Board of Aldermen received three citizen petitions describing concerns regarding safety along Smith Level Road; and

WHEREAS, on October 10, 2006, the Board of Aldermen created the Smith Level Road Task Force and part of the Task Force's charge was to present a final report to the Board of Aldermen by June 30, 2007; and

WHEREAS, the Task Force has requested the opportunity to present the final report on June 19, 2007.

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

Section 1. The Board of Aldermen hereby receives the report from the Smith Level Road Task Force.

Section 2. The Smith Level Road Task Force has fulfilled its duties, and the Board of Aldermen hereby thanks the task force members for their diligent participation and final report, and hereby dissolves the task force.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

Mayor Chilton suggested that extending the charge of the Task Force be referred to the town staff for consideration.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO EXTEND THE CHARGE OF THE SMITH LEVEL ROAD TASK FORCE FOR THE PURPOSE OF COMPLETING PRESENTATIONS OF THE REPORT AND FOR ADDITIONAL TASKS THAT MIGHT BE

IDENTIFIED BY THE BOARD OF ALDERMEN BASEDON THE EXPECTED STAFF REPORT. VOTE:  
AFFIRMATIVE ALL

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**ADOPTION OF THE LOCAL PRIORITY LIST FOR FY2009-2015 TRANSPORTATION  
IMPROVEMENT PROGRAM**

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization has initiated the preparation of the 2009-2015 Transportation Improvement Program (TIP). At the beginning of this process, local governments are requested to provide a local priority list of projects. The Board was requested to review and adopt the Transportation Advisory Board's recommended 2009-2015 TIP priority list.

Mayor Chilton asked that the town staff be authorized to apply for SPTDA funds for the construction of a multi-use path extending from Williams Street to Estes Drive.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO AUTHORIZE THE TOWN STAFF TO APPLY FOR SPTDA FUNDS FOR THE CONSTRUCTION OF A MULTI-USE PATH EXTENDING FROM WILLIAMS STREET TO ESTES DRIVE. VOTE:  
AFFIRMATIVE ALL

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

A RESOLUTION RECEIVING THE REPORT ON THE 2009-2013  
TRANSPORTATION IMPROVEMENT PROGRAM LOCAL PRIORITY LIST  
Resolution No. 212/2006-07

WHEREAS, the Town of Carrboro participates in the development of the 2009-2015 Transportation Improvement Program (TIP) as a member of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization; and

WHEREAS, the Transportation Advisory Board has reviewed transportation needs in Carrboro and provided comments on a local priority list for adoption by the Board of Aldermen.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen have received the report on the local priority list for the 2009-2015 TIP.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen refers the local priority list to the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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**BOARD DISCUSSION ON WELL USE TO MAINTAIN THE MLK, JR. PARK COMMUNITY GARDENS**

The purpose of this agenda item was for the Board to discuss the possibility of using the well for the MLK Jr. Community Garden or uphold the current contract with the Parrish Brothers to seal the well while removing the house off the property.

Anita Jones-McNair, the town’s Recreation and Parks Director, addressed the Board giving a chronology of events leading up to tonight’s agenda item.

Representatives of the Carrboro Community Garden Coalition (Sammy Slade, Jay and Dave Delvecchio) presented information in support of allowing the Community Garden Coalition to use the well to provide a water supply for the garden. They presented information on how the water supply will be secured.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELYN GIST TO DIRECT THE TOWN STAFF TO INSTRUCT THE PARRISH BROTHERS NOT TO SEAL THE WELL AND MAKE THE WELL AVAILABLE TO THE CARRBORO COMMUNITY GARDEN COALITION WITH THE SECURITY MEASURES OUTLINED FOR BOTH THE WELL HOUSE AND CISTERN AND THE HOSE MECHANISM. THAT THE CONTRACT BETWEEN THE TOWN, THE ORANGE COUNTY PARTNERSHIP FOR YOUNG CHILDREN AND THE CARRBORO COMMUNITY GARDEN COALITION BE AMENDED TO REQUIRE TESTING OF THE WELL WATER PRIOR TO THE BEGINNING OF EACH GARDENING SEASON, AND IF THE TEST RESULTS INDICATE A PROBLEM WITH THE WATER, THAT USE OF THE WATER BE CURTAILED UNTIL THE PROBLEM IS CORRECTED. THAT THE CARRBORO COMMUNITY GARDEN COALITION BE RESPONSIBLE FOR PAYING ALL COSTS FOR INSTALLING, SECURITY AND MONITORING EQUIPMENT AND FOR REMOVAL OF THE EQUIPMENT AT THE END OF THE LIFE OF THE COMMUNITY GARDEN. IN ADDITION, THAT THE CARRBORO COMMUNITY GARDEN COALITION BECOME INCORPORATED. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BROUN)

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**DISCUSSION OF THE TEN-YEAR PLAN TO END CHRONIC HOMELESSNESS AND APPOINTMENT OF A BOARD MEMBER TO THE EXECUTIVE STEERING COMMITTEE RESPONSIBLE FOR THE IMPLEMENTATION OF THE PLAN**

The purpose of this item was to give the Board members an opportunity to discuss the Ten Year Plan to End Chronic Homelessness and appoint a member of the Board of Aldermen to the executive steering committee which will be responsible for providing oversight to the implementation of the plan.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Randee Haven-O’Donnell.

A RESOLUTION ACCEPTING THE TEN YEAR PLAN TO END CHRONIC HOMELESSNESS IN ORANGE COUNTY AND APPOINTING A BOARD MEMBER TO SERVE ON THE EXECUTIVE STEERING COMMITTEE  
Resolution No. 223/2006-07

WHEREAS, the Town of Carrboro agreed to participate in the Ten Year Plan to End Chronic Homelessness process to address the needs of our community wide homelessness problem ;and

WHEREAS, a 2005 point-in-time survey sponsored by the North Carolina Council for Coordination of Homeless Programs found that there were 11,165 individuals across the state experiencing homelessness with 3,523 being children; and

WHEREAS, Orange County reflects the complex characteristics and special needs of all homeless people throughout the state and according to the County's 2006 Continuum of Care, 237 individuals were identified as experiencing homelessness; and

WHEREAS, thirty-nine of the 237 individuals were chronically homeless who with limited assistance could regain permanent housing and self-sufficiency while others, especially people with physical and or mental disabilities, may require extensive and long-term support; and

WHEREAS, Homelessness is a complicated problem rising from the changing social, economic, political, and cultural conditions of the past 25 years, this plan makes recommendations for systematic changes to homeless services system in order to end homelessness in Orange County and raises awareness of issues related to homelessness among all residents; and

NOW THEREFORE, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES:

Section 1. The Board of Aldermen approves the Ten Year Plan to End Chronic Homelessness in Orange County prepared by the Ten Year Plan to End Homelessness Task force.

Section 2. The Ten Year Plan prepared by the County-wide Task Force, created by the local governments, recommends that in order to carry out the work identified in the plan a staff person is needed.

Section 3. The Board of Aldermen hereby appoints Alderman Jacquelyn Gist to serve as the Town of Carrboro's representative on the Executive Steering Committee to oversee implementation of the plan.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: None

Absent or Excused: None

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### **CLARIFICATION OF GREENWAYS COMMISSION MEMBERSHIP**

At the recommendation of the Greenways Summit Work Group, the Board of Aldermen voted to create a Greenways Commission and adopted a resolution to that effect on April 3, 2007. An amendment to the Town Code that formalized the structure and defines the mission of a Greenways Commission was adopted on June 5, 2007. Clarification regarding rollover membership of the Commission was requested from the Board.

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY DAN COLEMAN TO REVISE THE MEMBERSHIP OF THE GREENWAYS COMMISSION TO CONVERT THE FIVE NEIGHBORHOOD REPRESENTATIVE SEATS TO AT-LARGE SEATS. VOTE: AFFIRMATIVE ALL

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**REQUEST FOR A MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR THE WINMORE VILLAGE MIXED USE PROJECT FOR THE ADDITION OF A SWIM CLUB AND FRUIT ORCHARDS**

The Board was asked to review a request for a Minor Modification to the Conditional Use Permit for the Winmore Village Mixed Use project at 1400 Homestead Road for the addition of a swim club and fruit orchards. The request involves adding a swimming pool, patio / decking, and a clubhouse/changing facility as well as the addition of fruit orchards within the open space. Town Staff recommended that the Board of Aldermen deliberate and make a decision regarding the CUP Minor Modification request.

Eric Chupp requested approval of the proposed amendment and stated that the residents of the affordable houses units would pay \$10.00 per month for homeowners' dues, and those dues would cover access to the pool.

Dave Otto, with the Friends of Bolin Creek, stated that the Friends are concerned about the reduction in open space by converting public amenities to private amenities. He stated that the pool would increase impervious surface. He stated that the orchards are an excellent idea, but expressed concern about the use of herbicides and pesticides.

Mr. Chupp stated there is a condition in the existing conditional use permit that prevents the use of pesticides.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Randee Haven-O'Donnell.

**A RESOLUTION APPROVING A MINOR MODIFICATION TO THE WINMORE VILLAGE MIXED USE CONDITIONAL USE PERMIT PROJECT AT 1400 HOMESTEAD ROAD FOR THE ADDITION OF FRUIT ORCHARDS  
Resolution No. 233/2006-07**

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for the Winmore Village Mixed Use Project at 1400 Homestead Road on June 10, 2003; and

WHEREAS, the Town of Carrboro desires to see developments constructed in the Town's jurisdiction with appropriate recreation amenities and facilities such as fruit orchards and a swimming pool; and

WHEREAS, Town Staff has determined that this request constitutes a Minor Modification to the Conditional Use Permit; and

WHEREAS, the applicant has met the criteria in the Town's Land Use Ordinance related to Minor Modifications.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Minor Modification to the Winmore Village Mixed Use Conditional Use Permit is hereby approved, subject to the following stipulations:

That the following additional CUP condition is hereby added:

- That the applicant is authorized to file a correction plat or other suitable legal device to remove the offer of public dedication limited to the area encompassing the fruit orchards.
- That the orchards be cared for or otherwise maintained without the use of chemical fertilizers or pesticides.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 19th day of June 2007:

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

Noes: Dan Coleman

Absent or Excused: None

It was the consensus of the Board to continue discussion of the request for the swimming pool at the June 26<sup>th</sup> Board meeting.

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MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 11:50 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk