

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 5, 2008 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
	Lydia Lavelle
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Asst. to the Town Manager	Drew Cummings

SECOND FRIDAY ART WALK

Mayor Chilton announced that Friday, February 8th is the Second Friday Art Walk at various venues in downtown Carrboro. He stated that Dave Otto's photography of Bolin Creek is showing at Carrboro Town Hall.

DEDICATION OF WILSON PARK TENNIS BACKBOARDS

Mayor Chilton announced that there will be a dedication ceremony on Wednesday, February 13th at 3:30 p.m. for the Wilson Park tennis backboards.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN DAN COLEMAN TO APPROVE THE JANUARY 15 AND 22, 2008 MINUTES: VOTE: AFFIRMATIVE ALL

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE PARTNERSHIP TO END HOMELESSNESS

The purpose of this item was to consider approval of a Memorandum of Understanding with the Executive Team for the Ten Year Plan to End Homelessness.

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

A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING
BETWEEN ORANGE COUNTY AND THE TOWNS OF CARRBORO,
CHAPEL HILL AND HILLSBOROUGH AND THE EXECUTIVE TEAM FOR
THE PARTNERSHIP TO END CHRONIC HOMELESSNESS

Resolution No. 96/2007-08

WHEREAS, The Town of Carrboro actively participated in the development of the Ten Year Plan To End Homelessness and understands how important the issue of homelessness is to the broader Orange community and supports the concept of long range planning to address the issue of homelessness; and

WHEREAS, the Ten Year Plan to End Homelessness is complete and has been reviewed by all governing bodies; and

WHEREAS, the Executive Leadership Team has been formed to provide indirect supervision of the coordinator through the County Manager's Office or the Manager's designee in carrying out the plan; and

WHEREAS, Alderman Gist has been appointed to represent the Town of Carrboro on the Executive Team.

NOW THEREFORE, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES THAT: this Memorandum of Understanding between Carrboro, Orange County, the towns of Chapel Hill and Hillsborough and the Executive Team of Orange County Ten Year Plan to End Chronic Homelessness will serve as a mechanism to clarify roles and responsibilities of each body as it relates to funding and oversight of the coordinator for the Ten Year Plan.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of February 2008:

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

Noes: None

Absent or Excused: None

A RESOLUTION AUTHORIZING THE TRANSFER OF PROPERTY TO ORANGE COMMUNITY HOUSING AND LAND TRUST

The purpose of this item was to present to the Board of Aldermen an opportunity to meet the request of the Board of Aldermen to maximize the purchase of the Piedmont Electric property on Eugene Street for a bike path and using the remaining property for affordable housing. The town staff recommended adoption of a resolution authorizing the transfer of this property to Orange Community Housing and Land Trust.

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

A RESOLUTION AUTHORIZING THE TRANSFER OF A LOT TO ORANGE COMMUNITY HOUSING AND LAND TRUST FOR THE CONSTRUCTION OF AN AFFORDABLE HOME TO BE SOLD TO A CARRBORO CITIZEN

Resolution No. 95/2007-08

WHEREAS, the Town of Carrboro purchased a parcel of land (PIN No. 9778956420) on Eugene Street to facilitate the construction of a bike path as a part of the Roberson Place Project; and

WHEREAS, the Board of Aldermen at the time of the authorization to purchase the parcel instructed the staff to make all efforts to maximize the use of the property by placing the bike path on the property in such a way as to allow the remaining land to be used for an affordable home; and

Whereas, the property was purchased and the bike path was constructed on the lot so that adequate land (7,537 SF) remains that can be used to construct an affordable home; and

Whereas, Orange Community Housing and Land Trust has expressed an interest in constructing a home on the site and has identified funds to do the construction.

NOW THEREFORE THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVES:

Section 1. The Town Manager is authorized to have the necessary documents prepared by the Town Attorney for this transfer and upon completion to execute the documents transferring the land (PIN No. 9778956420) to the Orange Community Housing and Land Trust.

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 5th day of February 2008:

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

Noes: None

Absent or Excused: None

REQUEST TO AMEND CENTURA INSTALLMENT PURCHASE CONTRACTS TO ENABLE ADDITIONAL SOFTWARE PURCHASES FOR THE RECREATION AND PUBLIC WORKS DEPARTMENTS

The Board, in adopting the annual fiscal year budget, approves the use of installment purchase (informally known as lease-purchasing financing) funding for numerous vehicles and equipment. Town staff has identified additional lease proceeds in a contract from FY06-07 that are available for "drawdown" to purchase additional capital items. The Board was requested to adopt a resolution amending the installment purchase contract with Centura to enable the purchase of software for the Recreation and Public Works Departments and to approve a budget amendment appropriating the funds.

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

**A RESOLUTION AMENDING LEASE INSTALLMENT CONTRACTS WITH CENTURA BANK
Resolution No. 93/2007-08**

WHEREAS, the Town Manager, Steven E. Stewart, has described to the Board the opportunity to amend the following Centura contract.

1. The contract, dated June 15, 2007 in the amount of \$1,134,188 will be amended to add the following items:

Item	Amount
Parks & Recreation Software	\$12,651
Public Works Software	\$25,560
Total	\$38,211

WHEREAS, the Board authorizes the Town Manager and other Town officers to execute any documents necessary to amend the contract and carry out such other actions as they may deem to carry out the amendment.

BE IT RESOLVED by the Board of Aldermen as follows:

Section 1. The items above are added to the amended Centura contract.

Section 2. The Town Manager, Steven E. Stewart, is authorized to execute the documents necessary to execute the amended contracts.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of February 2008:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN DAN COLEMAN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2007-08 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

A REQUEST TO SET A PUBLIC HEARING FOR THE TEMPORARY STREET CLOSING PERMIT APPLICATION FOR THE TAR HEEL 10 MILER

The purpose of this agenda item was to set a public hearing for a Street Closing Permit Application submitted by Endurance Magazine for the temporary closing and usage of streets from 7:30 am to 10:00 am on Saturday, April 26, 2008 to accommodate the Tar Heel 10 Miler.

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

A RESOLUTION SETTING A PUBLIC HEARING ON A
TEMPORARY STREET CLOSING REQUEST
Resolution No. 92/2007-08

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that February 26, 2008 at 7:30 PM is hereby set as the date for a public hearing on a request by Endurance Magazine to temporarily close and use the following streets on Saturday, April 26, 2008 from 7:30 AM to 10:00 AM for the Tar Heel 10 Miler run race:

Carrboro Run Race Route – Tar Heel 10 Miler

1. W. Rosemary (Merritt Mill to E. Main St.)
2. E. Main St. (Rosemary to E. Weaver St.)
3. E. Weaver St. (E. Main to N. Greensboro St.)
4. N. Greensboro (E. Weaver St. to Hillsborough Rd.)
5. Hillsborough Rd. (Greensboro to Old Fayetteville)

6. Old Fayetteville (Hillsborough to McDougale school Bike/Ped path)
7. Across school property to Quail Roost Dr. and Lisa Dr.
8. Lisa Dr. (Quail Roost to Carol St.)
9. Carol St.(Lisa Dr. to James St.)
10. James St.(Carol to Lorraine St.)
11. Lorraine (James to Mary St.)
12. Mary St. (Lorraine to Simpson)
13. Simpson (Mary to W. Main St. and cross to enter bike lane)
14. W. Main St. (east from Simpson to Jones Ferry Rd. and cross to PTA Bike Path)
15. PTA Bike Path (Jones Ferry to W. Carr St.)
16. W. Carr St. (PTA Bike Path to S. Greensboro St.)
17. Cross S. Greensboro to W. Carr St.(S. Greensboro to Maple Ave.)
18. Maple Ave. (E. Carr to Roberson St.)
19. Roberson (Maple Ave. to Libba Cotten Bikeway)
20. Libba Cotten Bikeway (Roberson to Merritt Mill to access Chapel Hill to end of race at Church St.)

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of February 2008:

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

Noes: None

Absent or Excused: None

APPOINTMENT OF A SECOND BOARD LIAISON TO THE ECONOMIC SUSTAINABILITY COMMISSION

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO APPOINT ALDERMAN RANDEE HAVEN-O'DONNELL AS A SECOND BOARD LIAISON TO THE ECONOMIC SUSTAINABILITY COMMISSION. VOTE: AFFIRMATIVE ALL

CONTINUED DISCUSSION OF AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY FOOT CANDLE LIMITATIONS IN B-1(C) AND B-1(G) DISTRICTS AND PARKING SPACE DIMENSIONS

The Board of Aldermen has held a public hearing on a draft ordinance that modifies maximum light levels in two downtown zoning districts and reduces parking space length throughout Town. Staff has finalized the language regarding illumination at the interface between residential properties and the B-1(c) and B-1(g) zoning districts.

Trish McGuire provided a brief presentation of the revised draft ordinance and answered questions from the Aldermen.

Ellen Perry stated that Fidelity Street is very dark and asked that the Board consider people with disabilities.

The following resolution was introduced by Alderman John Herrera and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE
CARRBORO LAND USE ORDINANCE
Resolution No. 89/2007-08

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: An Ordinance Amending the Carrboro Land Use Ordinance to Modify Foot Candle Limits in the B-1(c) and B-1(g) districts and parking space length

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above-described amendment is consistent with Downtown Carrboro: New Vision.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest as it supports appropriate lighting that creates welcoming and secure conditions inviting evening walks and makes efficient use of resources to meet parking needs.

Section 3. This resolution becomes effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of February 2008:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY FOOT CANDLE LIMITS IN THE B-1(c) AND B-1(g) DISTRICTS AND PARKING SPACE LENGTH, AS REVISED." VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DAN COLEMAN TO ASK STAFF TO INVESTIGATE WHETHER STREET LIGHTING ON FIDELITY STREET MEETS TOWN STANDARDS. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A DATE FOR THE 2008 LEGISLATIVE BREAKFAST

The town staff requested that the Board of Aldermen schedule a date for the 2008 legislative breakfast. April 4th, 11th and 18th have been suggested as possible dates for this year's meeting with the legislative delegation.

Alderman Dan Coleman noted that he would not be able to make any of the proposed dates and asked that the Town Clerk see whether the delegation might be available on April 25th.

The Board asked that the town staff check with Speaker Hackney's office to see if the legislative breakfast could be scheduled for April 25th and that this matter be placed on the February 12th Board agenda.

APPOINTMENT TO OWASA BOARD OF DIRECTORS

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JOAL HALL BROUN TO RE-APPOINT BRAXTON FOUSHEE AS ONE OF THE TOWN'S OWASA REPRESENTATIVES. VOTE: AFFIRMATIVE ALL

CELEBRATION OF EARTH AND SKY

Alderman Haven-O'Donnell announced that Sunday, February 10th there will be a celebration of earth and sky at the Carrboro Century Center from 2-6 p.m.

LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW SELLING OF FOOD FROM TRUCKS

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO REQUEST THAT THE TOWN STAFF PREPARE A DRAFT AMENDMENT TO THE LAND USE ORDINANCE TO ALLOW SELLING OF FOOD FROM TRUCKS. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 7:55 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Assistant to the Town Manager