

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 7, 2008 at 8:00 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Dan Coleman
	Jacquelyn Gist
	Randee Haven-O'Donnell
	John Herrera
	Lydia Lavelle
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

### **PROCLAMATION ISSUED**

Mayor Chilton read a proclamation proclaiming October as Domestic Violence Awareness Month and presented that proclamation to Nancy Rickard, a volunteer with the Family Violence Prevention Center.

\*\*\*\*\*

### **CHARGE ISSUED**

The Town Clerk issued a charge to Austin Brown, a recent appointee to the Transportation Advisory Board.

\*\*\*\*\*

### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO APPROVE THE SEPTEMBER 16 AND 30, 2008 MINUTES. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

### **REQUEST TO SET A PUBLIC HEARING ON A CONDITIONAL USE PERMIT FOR A WATERSHED RESIDENTIAL SUBDIVISION AT 219 OLD FAYETTEVILLE ROAD**

Marilyn Kille, owner of the property located at 219 Old Fayetteville Road, has submitted an application for a conditional use permit to subdivide her property into two lots. The town staff requested that a public hearing be scheduled for October 28, 2008 to consider this application.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION CALLING A PUBLIC HEARING ON A  
CONDITIONAL USE PERMIT REQUEST FOR A WATERSHED RESIDENTIAL SUBDIVISION AT  
219 OLD FAYETTEVILLE ROAD  
Resolution No. 21/2008-09

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 subdivision of the property at 219 Old Fayetteville Road.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing for October 28, 2008 to consider the conditional use permit request for the subdivision at 219 Old Fayetteville Road.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 7<sup>th</sup> day of October 2008:

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

Noes: None

Absent or Excused: None

\*\*\*\*\*

**APPOINTMENTS TO THE GREENWAYS COMMISSION**

The purpose of this item was for the Mayor and Board of Aldermen to consider appointing Heidi Paulsen as the Planning Board's representative, and Andreas Hay as the Environmental Advisory Board's representative on the Greenways Commission.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION MAKING APPOINTMENTS TO THE  
GREENWAYS COMMISSION  
Resolution No. 20/2008-09

WHEREAS, Heidi Paulsen has volunteered to serve as the Planning Board's representative on the Greenways Commission; and

WHEREAS, Andreas Hay has volunteered to serve as the Environmental Advisory Board's representative on the Greenways Commission.

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

Section 1. The Board of Aldermen hereby makes the following appointments to the Greenways Commission:

APPOINTEE	REPRESENTING	TERM EXPIRATION
Heidi Paulsen	Planning Board	July 1, 2011
Andreas Hay	Environmental Advisory Board	July 1, 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 7<sup>th</sup> day of October 2008:

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

Noes: None

Absent or Excused: None

\*\*\*\*\*

**STATUS REPORT FROM CARRBORO PARKS PROJECT ON FUND RAISING FOR DISC GOLF**

The purpose of this agenda item was to provide an update by the Carrboro Parks Project (CPP) on the progress made to raise funds to design, purchase and install a disc golf course at Anderson Park.

Katie Allman from the Carrboro Parks Project stated that the CPP has raised \$4,000 thus far, which will cover Phase I of the project. She stated that DSI Comedy had contributed \$2,700 of the \$4,000 for this project. She stated that they have an additional \$4,500 to raise for the project. In addition, she announced that they have filed a grant application with N.C. Sports and they are hosting a disc golf tournament on November 2 in Chapel Hill.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Lydia Lavelle.

A RESOLUTION ACCEPTING THE UPDATE BY THE CARRBORO PARKS PROJECT ON THE FUNDRAISING PROGRESS TOWARDS THE DESIGN, PURCHASE, AND INSTALLATION OF A DISC GOLF COURSE AT ANDERSON PARK  
Resolution No. 22/2008-09

WHEREAS, the Board appreciates and commends the spirit of support shown by the Carrboro Parks Project in raising funds and community awareness of public park and recreation programming; and

WHEREAS, a disc golf course at Anderson Park will add a versatile facility for citizens of all ages in the community.

NOW, THEREFORE BE IT RESOLVED:

Section 1. That the Board of Aldermen accept the update provided by the Carrboro Parks Project.

Section 2. That the Board further requests that staff continue to work with the Carrboro Parks Project to complete the design, purchase, and installation of the disc golf course at Anderson Park.

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 7<sup>th</sup> day of October 2008:

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

Noes: None

Absent or Excused: None

Alderman Haven-O'Donnell asked that the Recreation and Parks Department place the announcement of the November 2<sup>nd</sup> tournament on their website.

\*\*\*\*\*

**REQUEST FOR EMERGENCY HOUSING REPAIR ASSISTANCE FROM THE AFFORDABLE HOUSING SPECIAL REVENUE FUND**

The purpose of this item was to present to the Carrboro Board of Aldermen a request for funding from the Affordable Housing Special Revenue Fund from EmPOWERment, Inc. for emergency repair to a sewer line at 105 Cobb Street. Upon approval of this project, a budget amendment was required to move the funds from the General Fund to the new Affordable Housing Special Revenue Fund and to appropriate funds for this specific project within the Special Revenue Fund.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION APPROVING A REQUEST FOR FUNDS  
FROM THE AFFORDABLE HOUSING SPECIAL REVENUE FUND  
TO MAKE EMERGENCY REPAIRS AT 105 COBB STREET  
Resolution No. 24/2008-09

WHEREAS, the Board of Aldermen on, June 27, 2007, by the adoption of resolution no. 244/206-07, created the Affordable Housing Special Revenue Fund; and

WHEREAS, the creation of the fund is another way in which the Board can advance its goal of increasing and maintaining the stock of affordable housing within the Town and its planning jurisdiction; and

WHEREAS, the Affordable Housing Special Revenue Fund was also designed to provide emergency housing repair for Carrboro residents without the means to do it on their own; and

WHEREAS, Empowerment, Inc. has made an application to the Town to use \$8,250.00 from the fund to repair a collapsed sewer line on property owned by Truphenia Kelly at 105 Cobb Street so that she can continue to live in the unit; and

WHEREAS, Empowerment, Inc. has submitted the appropriate information describing the project, certifying the applicant's income status as being below 80% of the area median income for its family size, and providing estimates for the repair; and

WHEREAS, the town staff has reviewed the application and determined that it meets the criteria set forth in the Affordable Housing Special Revenue Fund and recommends that the Board approve the deferred loan for the repair for a term of 15 years where the loan will be forgiven at an amount \$550 per year.

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

Section 1. The Board of Aldermen approves this deferred loan in the amount of \$8,250 for 15 years to be forgiven in the amount of \$550 per year and to be secured by a lien against the property until the debt is satisfied as a third position on the property.

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 7<sup>th</sup> day of October 2008:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2008-09 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

**CONSIDERATION OF AN ORDINANCE REQUIRING DOG OWNERS TO REMOVE FECES DEPOSITED BY THEIR DOGS ON PUBLIC OR PRIVATE PROPERTY**

The purpose of this agenda item was for the Board of Alderman to discuss possible passage of an ordinance which would make it unlawful for any dog owner (or person walking any dog) not to remove the feces of the animal from any public or private property except that of the dog owner. Failure to comply with this law would be a misdemeanor punishable as provided in G.S. 14-4.

At the Board's request, the Town Attorney amended the ordinance to make a violation of the provisions of the ordinance a civil penalty rather than a misdemeanor.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE REQUIRING DOG OWNERS TO REMOVE FECES DEPOSITED BY THEIR DOGS ON PUBLIC OR PRIVATE PROPERTY," AS AMENDED. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

**REPORT ON CAR FREE DAY ACTIVITIES**

James Carnahan, speaking on behalf of The Village Project, stated that they had received the signatures of 530 citizens in support of light rail between downtown Durham and Chapel Hill and that they had delivered the letters of support to the DCHC MPO. He stated that last year's car free day activity was to help folks in Hillsborough get together support for an Amtrak stop in Hillsborough, and in July of 2008 Amtrak said that a passenger stop was feasible in Hillsborough. He presented a CD of the letters of support for the light rail.

\*\*\*\*\*

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOHN HERRERA TO ADJOURN THE MEETING AT 8:27 P.M. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

---

Mayor

---

Town Clerk