

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 21, 2008 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun (arrived at 7:37 p.m.)
	Dan Coleman
	Jacquelyn Gist
	Randee Haven-O'Donnell
	John Herrera (arrived at 7:50 p.m.)
	Lydia Lavelle
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

APPROVAL OF MINUTES OF PREVIOUS MEETINGS OCTOBER 7 AND 14, 2008

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELYN GIST TO ADOPT THE OCTOBER 7 AND 14, 2008 MINUTES, AS AMENDED. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (BROUN, HERRERA)

AWARD OF A CONSTRUCTION CONTRACT FOR THE JAMES STREET SIDEWALK BOND PROJECT

The purpose of this agenda item was to award a construction contract for the James Street Sidewalk Bond Project.

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

A RESOLUTION AWARDING THE CONTRACT FOR THE
JAMES STREET SIDEWALK BOND PROJECT
Resolution No. 27/2008-09

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The contract for the Sidewalk Bond Project – James Street is awarded to White Oak Construction Corporation in the amount of \$498,919.60

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 21st day of October 2008:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Lydia Lavelle

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

**REQUEST TO SET A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT
RELATED TO WATER QUALITY BUFFERS**

On October 14, 2008, the Board of Aldermen held a worksession to consider draft ordinance provisions related to water quality buffers throughout the Town’s jurisdiction. A resolution setting a public hearing and referring the draft ordinance for review was recommended for the Board’s adoption.

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

**A RESOLUTION SETTING A PUBLIC HEARING ON AN AMENDMENT TO THE CARRBORO LAND
USE ORDINANCE TO MODIFY WATER QUALITY BUFFER PROVISIONS
Resolution No. 26/2008-09**

WHEREAS, the Carrboro Board of Aldermen seeks to fully consider policies, plans and regulations pertaining to development opportunities; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen:

Section 1. Sets a public hearing on “AN ORDINANCE REVISING ARTICLE XVI OF THE CARRBORO LAND USE ORDINANCE DEALING WITH FLOOD DAMAGE PREVENTION, STORMWATER MANAGEMENT, AND WATERSHED PROTECTION” for November 25, 2008; and

Section 3. Refers the draft ordinance to the Planning Board and Orange County for review.

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:

- | | |
|--|--|
| <input type="checkbox"/> Appearance Commission | <input checked="" type="checkbox"/> Recreation and Parks Commission |
| <input checked="" type="checkbox"/> Transportation Advisory Board | <input checked="" type="checkbox"/> Northern Transition Area Advisory Committee |
| <input checked="" type="checkbox"/> Environmental Advisory Board | <input checked="" type="checkbox"/> NC Division of Water Quality/Environmental Management Commission |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input checked="" type="checkbox"/> OWASA |
| <input checked="" type="checkbox"/> Greenways Commission | <input checked="" type="checkbox"/> Orange County Erosion Control |

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of October 2008:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O’Donnell, Lydia Lavelle

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD

The purpose of this item was for the Mayor and Board of Aldermen to consider making an appointment to the Environmental Advisory Board. The Chair of the EAB recommended that Jennifer Winston be appointed.

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

**A RESOLUTION MAKING AN APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD
Resolution No. 30/2008-09**

WHEREAS, there are currently two vacant seat on the Environmental Advisory Board (EAB); and

WHEREAS, these positions have been advertised and Jennifer Winston has submitted an application; and

WHEREAS, the Chair of the EAB is recommending that Ms. Winston 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 appointments Jennifer Winston to the Environmental Advisory Board. Her term will expire in February 2011.

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 21st day of October 2008:

Ayes: Mark Chilton, Dan Coleman, Jacquelyn Gist, Randee Haven-O'Donnell, Lydia Lavelle

Noes: None

Absent or Excused: Joal Hall Broun, John Herrera

PRESENTATION ON THE HISTORIC CARRBORO PLAQUE PROGRAM

Tom Wiltberger, a member of the Appearance Commission, and Catherine DeVine, a former member of the Appearance Commission, presented an overview of the program and its purpose. Mr. Wiltberger recognized Linda Misiura, the winner of the design contest for the plaque.

[Alderman Broun arrived at the meeting.]

Alderman Gist suggested that the historic plaque program folks have a float in the Christmas Parade advertising the program.

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

**A RESOLUTION SUPPORTING THE HISTORIC CARRBORO PLAQUE PROGRAM
AND AMENDING THE MISCELLANEOUS FEES AND CHARGES SCHEDULE
TO INCORPORATE THE \$135.00 FEE
Resolution No. 25/2008-09**

WHEREAS, the Carrboro Board of Aldermen received a report on the Historic Carrboro Plaque Program; and

WHEREAS, the Board of Aldermen supports this program as follows:

- By providing staff support to accept applications for the historic plaque program;
- Provide space on the town's website to post the application form and information about the program;
- That the town set up an account for the program (to accept funds and write checks for the plaques); and
- That the town purchase two plaques – one for the Town Hall and one for the Century Center for a total cost of \$270.00 (funds would come from the Board of Aldermen's budget).

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

Section 1. The Board expresses its support for the Historic Carrboro Plaque Program and approves an amendment to the Miscellaneous Fees and Charges Schedule to incorporate the \$135.00 fee.

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 21st day of October 2008:

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

Noes: None

Absent or Excused: John Herrera

[Alderman Herrera arrived at the meeting.]

REPORT ON FERTILIZER APPLICATION

At the June 10, 2008 meeting the Board of Aldermen received a staff report on the requirements for Year 3 of the Town's NPDES stormwater permit and adopted a Town Code provision requiring that all turf areas five acres or greater follow fertilizer application guidelines. The Board of Aldermen requested that staff report back regarding who the existing fertilizer permit requirements apply to as well as how it might be applied to smaller parcels. The Board also expressed interest in further discussion of a fertilizer surcharge. The purpose of this agenda item was to provide the staff report, and allow for further Board discussion on this matter.

Randy Dodd, the town's Environmental Planner, made the presentation.

It was the consensus of the Board that the threshold for fertilizer requirements be two acres or more and that the requirement would become effective two months after adoption.

Mayor Chilton asked that the other local governments in Orange County be requested to adopt similar requirements.

Alderman Lavelle asked that affected land owners be notified of the requirements of this ordinance. In addition, she asked for examples of the training proposed by the North Carolina Cooperative Extension Service or N.C. Division of Water Quality.

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY JACQUELYN GIST TO SET A PUBLIC HEARING ON THE DRAFT ORDINANCE FOR JANUARY 27, 2009. VOTE: AFFIRMATIVE ALL

REVIEW OF TOP 10 PLANNING WORK PROJECTS AND OVERVIEW OF RECENT EAB RECOMMENDATIONS

The purpose of this item was to present a list of the “top-ten” planning projects currently being undertaken by the planning staff as part of the department’s overall work program. In addition, a summary of recommendations made by the Town’s Environmental Advisory Board that call for policy and/or land use ordinance modifications is provided to show correlation with the top-ten projects.

Roy Williford, the town’s Planning Director, made the presentation.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELYN GIST TO REFER THE LIST OF ENVIRONMENTAL ADVISORY BOARD COMMENTS BACK TO THE EAB WITH THE REQUEST THAT THEY REMOVE REDUNDANCIES, THAT THE EAB ASSESS WHETHER THOSE ITEMS MARKED “PROJECT SPECIFIC” MIGHT HAVE SOME MORE GENERAL FORM, ANY REFLECTIONS ON STAFF NOTES, AND THAT ANY RECOMMENDATIONS OF PARTICULAR IMPORTANCE BE NOTED. VOTE: AFFIRMATIVE ALL

CONSIDERATION OF AN ORDINANCE LIMITING CAMPAIGN CONTRIBUTIONS

The purpose of this item was to provide the Board with an opportunity to discuss whether to direct the attorney to draft an ordinance limiting the amount of money that any individual or committee may contribute to a candidate for Town office.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOHN HERRERA TO REQUEST THAT THE TOWN ATTORNEY PREPARE AN ORDINANCE LIMITING CAMPAIGN CONTRIBUTIONS TO \$250.00 AND THAT A PUBLIC HEARING BE SCHEDULED ON THE DRAFT ORDINANCE FOR JANUARY 27, 2009. VOTE: AFFIRMATIVE ALL

REPORT ON HALLOWEEN PREPARATIONS

Steve Stewart, Town Manager, presented a brief update on preparations for Halloween.

TRANSIT FORUM

Alderman Coleman announced that there will be a transit forum at the Carrboro Town Hall on Wednesday, October 22nd one session at 5:00 p.m. and another session at 7:00 p.m.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 8:53 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk