

A worksession of the Carrboro Board of Aldermen was held on Tuesday, January 12, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

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

**APPROVAL OF MINUTES OF PREVIOUS MEETING (ITEM A(1))**

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY LYDIA LAVELLE TO APPROVE THE DECEMBER 8, 2009 MINUTES. VOTE: AFFIRMATIVE ALL

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**REQUEST TO APPROVE A SUPPLEMENTAL AGREEMENT WITH NCDOT FOR THE TRANSFER OF FUNDS BETWEEN TRANSPORTATION PROJECTS SUPPORTED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT (ITEM A(2))**

The Board was requested to approve a Supplemental Agreement with NCDOT allowing the transfer of funding obligations between two local transportation projects supported by the American Recovery and Reinvestment Act (ARRA). The Supplemental Agreement allows the transfer of \$28,000 from the Bim St. sidewalk project (TIP# U-4726-DB) to the bus shelter installation project (TIP# EL-5103).

The following resolution was introduced by Alderman Joal Broun and duly seconded by Alderman Lydia Lavelle.

A RESOLUTION APPROVING A SUPPLEMENTAL AGREEMENT WITH  
NCDOT FOR THE TRANSFER OF FUNDS BETWEEN  
TRANSPORTATION PROJECTS SUPPORTED BY THE  
AMERICAN RECOVERY AND REINVESTMENT ACT  
Resolution No. 83/2009-10

WHEREAS, the American Recovery and Reinvestment Act (ARRA) was signed on February 17, 2009, to create and maintain jobs, spur economic activity, and invest in long-term economic growth; and

WHEREAS, ARRA funding is supporting several transportation projects in the Town of Carrboro, including the construction of sidewalks on Bim St. and Ashe St. and the installation of bus shelters; and

WHEREAS, the North Carolina Department of Transportation (NCDOT), which is administering the funding, is allowing the transfer of funds between ARRA projects within a municipality; and

WHEREAS, after opening the bidding period for the bus shelter installation project, the Town received only one bid (\$63,057), significantly above the original grant amount (\$48,296), and on November 10, 2009, the Board of Aldermen rejected the bid and authorized staff to re-open another bidding period; and

WHEREAS, rebidding the project in December 2009 yielded bids that were either substantially in excess of the cost estimate or from bidders that were not prequalified to work on NCDOT contracts; and

WHEREAS, the low bid for the Bim St. sidewalk project (\$125,424.21) came in significantly below the grant amount (\$200,100); and

WHEREAS, a draft Supplemental Agreement has been prepared by NCDOT to execute this transfer; and

WHEREAS, it is the intent of staff to ensure that funding levels for the sidewalk projects are adequate to support a 15% contingency cost and a 15% construction administration cost, over and above the base cost estimate;

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

1. The Board of Aldermen approves the Supplemental Agreement between the Town of Carrboro and NCDOT (Agreement ID #933, dated 11/19/2009) for the transfer of \$28,000 from the Bim Street sidewalk project (TIP# U-4726-DB) to the bus shelter installation project (TIP# EL-5103); and
2. The Town Manager is authorized to execute said Supplemental Agreement with NCDOT.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of January 2010:

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

Noes: None

Absent or Excused: None

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### **AWARD OF BID FOR THE BUS SHELTERS INSTALLATION PROJECT (ITEM A(3))**

The purpose of this agenda item was to award a construction contract for the bus shelters installation project. The town staff recommended adoption of a resolution awarding the contract to W.C. Construction Company in the amount of \$62,171.00.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Lydia Lavelle.

A RESOLUTION AWARDING A CONTRACT TO W.C. CONSTRUCTION COMPANY, LLC, AND  
AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT ON BEHALF OF THE TOWN OF  
CARROBOR AND ANY CHANGE ORDERS WITHIN THE BUDGETED AMOUNT FOR THE PROJECT  
KNOWN AS TOWN OF CARRBORO BUS SHELTERS INSTALLATION PROJECT (EL-5103)  
Resolution No. 84/2009-10

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

Section 1. The contract for construction of the Bus Shelters Installation Project is awarded to W. C. Construction Company, LLC, in the amount of \$62,171.00.

Section 2. The Town Manager is hereby authorized to execute on behalf of the Town of Carrboro a contract with W.C. Construction Company, LLC in the amount of \$62,171.00 and any change orders within the budgeted amount for the Town of Carrboro Bus Shelters project (EL-5103) and Concurrence in Award, provided the award of the contract is approved by the North Carolina Department of Transportation.

Section 3. 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 12th day of January 2010:

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

Noes: None

Absent or Excused: None

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**ENDORSEMENT OF FIT COMMUNITY DESIGNATION APPLICATION (ITEM A(4))**

The Board was asked to support the Town's application for a Fit Community designation for 2010-2013 through the Fit Community program of the NC Health and Wellness Trust Fund. The re-designation application continues the Town's 2007-2010 designation and is a requirement for applying for a 2010 Fit Community grant.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Lydia Lavelle.

**A RESOLUTION ENDORSING THE APPLICATION FOR  
A FIT COMMUNITY 2010-2013 DESIGNATION  
Resolution No. 80/2009-10**

WHEREAS, the Fit Community initiative was created by the North Carolina Health and Wellness Trust Fund to address growing obesity rates among adults and children in North Carolina, and it focuses on increasing physical activity, promoting healthy eating, and tobacco use cessation; and

WHEREAS, the Town of Carrboro was designated as a Fit Community for 2007-2010 in part due to its bicycle and sidewalk network, residents' access to parks, amount of recreational programs offered, and healthy food options such as the Farmer's Market; and

WHEREAS, the Orange County Partnership for Young Children has received support from the Fit Community program to encourage healthy eating and physical activity by growing community gardens in Carrboro; and

WHEREAS, a re-designation would help to affirm a local commitment to improving community health through healthy lifestyles and build on local efforts that contributed to the Town's current Fit Community designation; and

WHEREAS, a re-designation for 2010-2013 would enable the Town to achieve one of the Fit Community program's new tiers – bronze, silver, gold, or platinum – and a designation application is necessary to apply for a Fit Community 2010 grant;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen supports the Town's application for a Fit Community designation for 2010-2013 and directs staff to apply for a Fit Community 2010 grant to support a local project that addresses one of the Fit Community program's focus areas.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of January 2010:

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

Noes: None

Absent or Excused: None

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**AMENDMENT TO MISCELLANEOUS FEES AND CHARGES SCHEDULE TO ADD A CHARGE FOR COMPUTER DATABASES REPORTS (ITEM A(5))**

Every public agency must maintain an index of computer databases per NC G.S. 132-6.1. The index of computer databases consists of a summary listing of databases, various information pertaining to those databases and a data dictionary for each database. A resolution that revises the Miscellaneous Fees and Charges Schedule to include fees for the production of copies of the index of computer databases, digital copy media charges, report reproduction charges and custom services charges has been prepared by staff and was recommended for the board's adoption.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Lydia Lavelle.

**A RESOLUTION AMENDING THE MISCELLANEOUS FEES AND CHARGES SCHEDULE TO ADD CHARGES FOR INDEX OF COMPUTER DATABASE REPORTING AND RELATED SERVICES  
Resolution No. 86/2009-10**

WHEREAS, the Carrboro Board of Aldermen seeks to ensure the cost for products and services are fair and adequate.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO that the Aldermen amends the Miscellaneous Fees and Charges Schedule as follows:

Addition of a new section of the fee schedule as follows:

<b>Index of Computer Databases</b>	
Digital Copy of Index of Computer Databases	CD, DVD, USB Solid State Drive \$5
Digital Copy of Database Media and Costs	CD, DVD, USB Solid State Drive \$15
Report Reproduction Cost List	For each printed, plotted or photographic database output page \$.10  Special Note: These fees do not apply to GIS related report and mapping reproduction; those fees are covered elsewhere in the Miscellaneous Fees and Charges Schedule.
Custom Services Costs	Custom Report Preparation: Starting at \$100.00/hr.,

	billable in fifteen-minute increments, and listed cost of digital and printed reproduction media. The ability to process custom requests is based upon staff and resource availability, and requesters should note that all requests may not be filled due to such limitations.
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The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of January 2010:

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

Noes: None

Absent or Excused: None

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**DISCUSSION OF OWASA DRAFT LONG-RANGE WATER SUPPLY PLAN (ITEM B(1))**

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO SCHEDULE A BOARD DISCUSSION OF THE OWASA DRAFT LONG-RANGE WATER SUPPLY PLAN ON JANUARY 19, 2010, AND THAT THE TOWN'S OWASA REPRESENTATIVE BE INVITED TO ATTEND THAT MEETING. VOTE: AFFIRMATIVE ALL

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**SIDEWALK PROGRAM UPDATE (ITEM B(2))**

The purpose of this agenda item was to provide additional information about the sidewalk program as requested by the Board of Aldermen at their November 10, 2009 meeting.

George Seiz, the town's Public Works Director, made the presentation.

Jeff Brubaker, the town's Transportation Planner, presented bicycle and pedestrian alternatives.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO SCHEDULE COMMUNITY MEETINGS IN THE SPRING TO RECEIVE COMMUNITY INPUT ON THE ALTERNATIVE PEDESTRIAN AND BICYCLE ROUTES. VOTE: AFFIRMATIVE ALL

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**A REQUEST TO CONSIDER REISSUING BOND ANTICIPATION NOTES UPON EXPIRATION AT UNCHANGED AMOUNT OF \$2,590,000**

The Board was requested to consider re-issuing bond anticipation notes (BANs) that are due to expire February 17, 2010 and approve a staff recommendation to renew the amount of BANs issued to remain unchanged at \$2,590,000 so that work on the sidewalk and greenway bond projects may continue in a timely fashion. A budget amendment was requested for approval to reallocate funds to reflect current spending plans.

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

A RESOLUTION ACCEPTING STAFF RECOMMENDATION TO RE-ISSUE AND  
MODIFY THE CURRENT BOND ANTICIPATION NOTES  
Resolution No. 87/2009-10

*WHEREAS:*

At a referendum held on November 4, 2003, the voters of the Town of Carrboro, North Carolina (the "Town"), authorized the issuance of up to \$4,600,000 of Town general obligation bonds for sidewalks and greenway trails (the "Bonds"). None of such Bonds have yet been issued.

The Town's Board of Aldermen (the "Board") has now determined to issue a series of bond anticipation notes to provide preliminary funding for sidewalk and greenways projects in anticipation of the later issuance of a portion of the Bonds.

The Board recognizes that the current bond anticipation notes will expire in early February 2010 allowing the Town an opportunity to re-issue amount needed for upcoming projects.

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

Section 1: The Board agrees to issue and sell a single issue of general obligation sidewalk bond anticipation notes (the "Notes") in the aggregate principal amount of \$2,590,000. The Town will issue the Notes to provide preliminary financing for sidewalk and greenways projects in anticipation of the later issuance of a portion of the previously-authorized Bonds.

Section 2: The Board directs staff to request an extension on the bond authorization for the sidewalk and greenways construction program from seven years to ten years.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12th day of January 2010:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2009-10 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

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**GREENWAY CONCEPTUAL PLAN FOR BOLIN CREEK AND JONES CREEK**

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY JACQUELYN GIST TO REFER THE GREENWAYS, INC. REPORT TO THE GREENWAYS COMMISSION. VOTE: AFFIRMATIVE ALL

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O'DONNELL  
TO ADJOURN THE MEETING AT 8:33 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk