

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 6, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun (arrived at 9:00 p.m.)
	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

REQUEST FROM JUSTICE UNITED

Lupe Ariza spoke in support of a living wage of \$13.00 per hour with annual cost-of-living increases.

Ingrid Schmidt asked that the living wage be raised to \$13.00 and that this hourly wage be increased by \$1.00 per hour each year until the National Income Housing Coalition standard is reached at \$15.31 per hour.

Molly DeMarco stated that Justice United is starting with municipalities in their endeavor to raise the living wage, and then proceed to private businesses.

Alderman Gist expressed interest in seeing models of groups banning together to encourage the private sector and non-profits to increase wages.

Alderman Coleman asked that Justice United provide information from national organizations promoting living wages to assist the town.

APPROVAL OF MINUTES OF PREVIOUS MEETING (ITEM C(1))

MOTION WAS MADE BY LYDIA LAVELLE AND SECONDED BY DAN COLEMAN TO APPROVE THE MARCH 23, 2010 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

REQUEST FOR APPROVAL OF A MUNICIPAL AGREEMENT WITH NCDOT FOR DESIGN AND CONSTRUCTION OF THE WILSON PARK MULTI-USE PATH (ITEM C(2))

The Board of Aldermen was asked to consider approving a Municipal Agreement with the North Carolina Department of Transportation to authorize federal funding to design and build the Wilson Park Multi-Use Path.

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

A RESOLUTION APPROVING A MUNICIPAL AGREEMENT WITH THE
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR
DESIGN AND CONSTRUCTION OF THE WILSON PARK MULTI-USE PATH
Resolution No. 127/2009-10

WHEREAS, the Wilson Park Multi-use Path is identified as Phase 1A in the Bolin Creek Greenway Conceptual Master Plan; and

WHEREAS, the path is also recommended as an “interim treatment” with respect to bicycle improvements along Estes Dr. Ext. in the Comprehensive Bicycle Transportation Plan; and

WHEREAS, *Vision 2020* (Sec. 4.3) recommends implementation of the Town’s bicycle and pedestrian network plans and bicycle and pedestrian connections with other jurisdictions; and

WHEREAS, the Adams Tract Conservation Easement allows the construction of a paved, 10-ft. wide trail for bicycle and pedestrian use only along the OWASA sewer easement on the property, consistent with the conservation values laid out in the easement; and

WHEREAS, federal funding for the Wilson Park Multi-use Path under the Surface Transportation Program-Direct Attributable (STP-DA) category was programmed by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization in 2008; and

WHEREAS, the Wilson Park Multi-use Path is slated for implementation in the Capital Improvements Program for FY 10-11, with a local match provided by sidewalks and greenways bond funding;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen approves the Municipal Agreement for design and construction of the Wilson Park Multi-use Path and authorizes the Town Manager to execute the agreement.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 2010:

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

Noes: None

Absent or Excused: Joal Hall Broun

APPOINTMENT TO THE HUMAN SERVICES COMMISSION (ITEM C(3))

The Board of Aldermen was requested to consider appointing Eleanor Blake to the vacant seat on the Human Services Commission.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE
HUMAN SERVICES COMMISSION
Resolution No. 125/2009-10

WHEREAS, there is currently one vacant seat on the Human Services Commission; and

WHEREAS, this position has been advertised and Eleanor Blake has submitted an application; and

WHEREAS, the Chair of the Human Services Commission has prepared a summary of Ms. Blake’s application.

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

Section 1. The Board of Aldermen hereby appoints Eleanor Blake to the Human Services Commission. Ms. Blake's term shall expire in February 2013.

Section 2. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 2010:

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

Noes: None

Absent or Excused: Joal Hall Broun

REQUEST TO CANCEL APRIL 13TH WORKSESSION (ITEM C(4))

The purpose of this item was to request that the Board of Aldermen cancel the April 13th Board worksession.

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

A RESOLUTION CANCELING THE APRIL 13, 2010 BOARD WORKSESSION
Resolution No.133/2009-10

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

Section 1. The Board of Aldermen hereby cancels its worksession scheduled for April 13, 2010.

Section 2. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 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

**RESOLUTION OF SUPPORT FOR NORTH CAROLINA MOUNTAINS TO SEA TRAIL
ALTERNATIVE ROUTE LINKS IN ORANGE COUNTY (ITEM C(5))**

The Intergovernmental Parks Work Group has concluded its review of the North Carolina Mountains to Sea Trail route through Orange County and recommends three trail links be shown along with the Principal and Alternate routes on shown on future maps of the NC Mountains-to-Sea Trail corridors through Orange County. Staff from Chapel Hill and Carrboro has been asked to obtain letters of agreement from their respective boards, so they may be presented to the Orange County Board of Commissioners when they formally adopt

the Mountains-to-Sea Trail route through Orange County. A resolution in support of the IPWG recommendation was provided for the Board's use.

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

A RESOLUTION SUPPORTING THE NORTH CAROLINA
MOUNTAINS TO SEA TRAIL ALTERNATIVE ROUTE LINKS IN ORANGE COUNTY
Resolution No. 132/2009-10

WHEREAS, the Town of Carrboro is committed to providing diverse and excellent recreational opportunities for its citizens; and

WHEREAS, the Town of Carrboro has participated in intergovernmental planning for recreation and parks with Orange County, Hillsborough, and Chapel Hill for some time; and

WHEREAS, the State of North Carolina plans for a Mountains-to-Sea Trail (MST) that will traverse the state; and

WHEREAS, the Intergovernmental Parks Work Group (IPWG) has reviewed the proposed route of the MST through Orange County; and

WHEREAS, the IPWG has recommended that the MST include trail connections to planned or existing trails and greenways in Orange County, including the Bolin and Morgan Creek greenways in Carrboro.

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

Section 1. The Board of Aldermen of the Town of Carrboro recommends that the Orange County Board of County Commissioners approve the recommendations of the IPWG regarding the proposed route and trail links in Orange County.

Section 2. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 2010:

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

Noes: None

Absent or Excused: Joal Hall Broun

A RESOLUTION APPOINTING A SPECIAL COLLECTOR REGARDING STREET ASSESSMENT PAYMENTS (ITEM C(6))

The Town sought and obtained special legislation that authorizes the Town to use the remedies authorized for the collection of unpaid property taxes to collect delinquent special assessment payments as an alternative to foreclosure proceedings, the only option allowed under the street assessments statutes. The staff requested that the Board authorize the Accounting Officer to be appointed a Special Collector.

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

A RESOLUTION APPOINTING A SPECIAL COLLECTOR
Resolution No. 131/2009-10

WHEREAS, S.L. 2007-266 authorizes the Town of Carrboro to use any and all remedies authorized for the collection of property taxes by N.C. Gen. Stat. Chpt. 105, Art. 26 to collect delinquent special assessment payments;

WHEREAS, N.C Gen. Stat. § 105-349 contemplates that local governments shall appoint a tax collector to collect delinquent taxes; and

WHEREAS, N.C. Gen. Stat § 105-349 is silent as to whether a collector must be appointed to collect delinquent special assessments, but the Orange County Tax Collector has requested that the Town of Carrboro appoint such a person.

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

1. Nancy H. B. Emslie is hereby appointed to be the Special Collector for the Town of Carrboro. The Board of Aldermen finds that Ms. Emslie is a person of character and integrity whose experience in business and collection work is satisfactory to the Town.

2. This appointment shall replace the appointment of L. Bingham Roenigk, whose appointment is hereby revoked.

3. The sole purpose of the office of Special Collector is to collect delinquent special assessment payments. The creation of this office or the appointment of Ms. Emslie in no way authorizes or requires the Town of Carrboro to collect property taxes or other taxes, fees or payments currently collected by Orange County on behalf of the Town.

4. The position of Special Collector shall be for one year, beginning on the date of this Resolution, and shall automatically renew each year. The Board of Aldermen, in its sole discretion, may revoke this appointment at any time and may appoint a new person to be the Special Collector.

5. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 2010:

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

Noes: None

Absent or Excused: Joal Hall Broun

REPORT OF THE CLASSIFICATION AND COMPENSATION STUDY AND FIRE DEPARTMENT STAFFING ANALYSIS CONDUCTED BY SPRINGSTED, INC. (ITEM D(1))

John Anzivino and Ann Antonsen with Springsted, Inc., presented the results of the classification and compensation study, fire department staffing analysis, and research on the issue of a housing wage.

[Alderman Broun arrived at the meeting.]

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

**A RESOLUTION ACCEPTING THE REPORT FROM
SPRINGSTED, INC.
Resolution No. 128/2009-10**

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

Section 1. The Board receives the report from Springsted, Inc.

Section 2. The Board requests that the Town Manager's budget for 2010-11 include a proposal for implementation of the classification and compensation study and for implementing the housing wage at both the Springsted proposal level and Justice United recommendation, and that a clarification of the fare-free public transit benefit.

Section 3. That the Manager look into whether other communities provide housing stipends to their employees.

Section 4. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 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

BETTER TOGETHER UPDATE (ITEM D(2))

Members of the town staff presented an update of the "Better Together Initiative" regarding accomplishments, ongoing projects and future projects.

Hugh Miles, Kevin Wright, Tamara Hayes, Nancy Emslie, and Rob Maddry made the presentations.

APPROVAL OF WATER AND SEWER MANAGEMENT, PLANNING AND BOUNDARY AGREEMENT (ITEM D(3))

The purpose of this item was to provide the Board of Aldermen with a resolution authorizing changes proposed by the Town of Hillsborough and Orange County to the Water and Sewer Management, Planning, and Boundary Agreement text and map.

Roy Williford introduced Perdita Holtz with the Orange County Planning Dept.

Ms. Holtz explained the proposed changes to the agreement and answered the Board's questions.

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

**A RESOLUTION APPROVING CHANGES TO THE WATER AND SEWER
MANAGEMENT, PLANNING AND BOUNDARY AGREEMENT
Resolution No. 130/2009-10**

WHEREAS, in 2001, Carrboro, Chapel Hill, Hillsborough, Orange County, and OWASA adopted a Water and Sewer Management, Planning and Boundary Agreement; and

WHEREAS, in 2006, the Efland-Mebane Small Area Plan, which studied a specific area of Orange County's jurisdiction, was adopted by Orange County; and

WHEREAS, in 2006, the joint Hillsborough-Orange County Strategic Growth Plan was adopted by the Town of Hillsborough and Orange County; and

WHEREAS, said adopted plans recommend modifications to the Water and Sewer Management, Planning and Boundary Agreement; and

WHEREAS, amendments to the Water and Sewer Management, Planning and Boundary Agreement require the approval of all signatories to the Agreement.

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

Section 1. The Board of Aldermen approves the addition of "Appendix F" reflecting service area boundary changes associated with the Town of Hillsborough and associated changes to Exhibit A of the Agreement; addition of text to Section IV BOUNDARIES, subsection B. Adherence to Boundaries and to Section III, DEFINITIONS.

Section 2. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 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 RANDEE HAVEN-O'DONNELL THAT THE BOARD OF ALDERMEN INVITES A REPRESENTATIVE(S) OF THE EFLAND-MEBANE SMALL AREA PLAN IMPLEMENTATION FOCUS GROUP TO A FUTURE MEETING TO DISCUSS THE PROPOSED MIXED USE AREA SHOWN NORTH OF BOWMAN ROAD AND/OR DISCUSS THE WATER AND SEWER MANAGEMENT PLANNING AND BOUNDARY AGREEMENT CHANGES RECOMMENDED BY THEIR SMALL AREA PLAN. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BROUN)

Alderman Broun stated that she voted against the motion to invite a representative of the Mebane-Efland Small Area Planning Team because it was her feeling that the changes to the plan should have been approved at tonight's meeting because of all the work put forth by the planning team.

A DISCUSSION OF LEGISLATIVE ISSUES FOR 2010 SESSION OF GENERAL ASSEMBLY (ITEM D(4))

The purpose of this agenda item was to facilitate a discussion of legislative issues to present to our local delegation at the upcoming legislative breakfast scheduled for Monday, April 12, 2009 at 7:30 a.m. in Town Hall. The delegation may be able to pursue some of the issues presented during the upcoming session of the NC General Assembly.

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

**A RESOLUTION DECLARING THE LEGISLATIVE PRIORITIES
FOR THE 2010 SESSION OF THE N.C. GENERAL ASSEMBLY
Resolution No. 126/2009-10**

WHEREAS the General Assembly of the State of North Carolina will begin its 2010 session in May of 2010; and

WHEREAS the Carrboro Board of Aldermen wish to express their legislative priorities for this session to the individuals and groups which represent their legislative interests; and

WHEREAS, those individuals include Carrboro's delegation to the General Assembly as well as the NC League of Municipalities and the Triangle J Council of Governments.

NOW THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen's legislative priorities for this session, include (not in order of importance):

- Budget Issues
- Home Rule
- Wage Theft
- PACE Financing
- Mental health issues

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 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

Mayor Chilton asked that the Town Attorney provide a status report on legislation requested by the town in the 2009 session of the General Assembly.

CONSIDERATION OF A RESOLUTION ENDORSING THE REALITY CHECK GUIDING PRINCIPLES FOR QUALITY GROWTH (ITEM D(5))

Mayor Chilton asked that this resolution be placed on tonight's agenda for Board consideration. The Board was requested to consider adopting this resolution.

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

**A RESOLUTION ENDORSING
THE REALITY CHECK GUIDING PRINCIPLES FOR QUALITY GROWTH**

Resolution No. 35/2009-10

WHEREAS, the Board of Delegates of the Triangle J Council of Governments represents the interests of seven counties and their municipalities in matters relating to growth, development, infrastructure and the environment, among other duties, and

WHEREAS, a 15-county region centered on the Research Triangle has a projected growth of 1.2 million new residents by 2030 and an increase of 700,000 new jobs by 2030, and

WHEREAS, a collaborative vision for growth and land use for this region, Reality Check, was initiated by a joint partnership between Triangle Tomorrow and Urban Land Institute Triangle, and

WHEREAS, the Reality Check visioning exercise and results summit established consensus among participants and attendees on the following Guiding Principles for Quality Growth:

TRANSIT

Improve regional transit, matching land use decisions with transit investments

VIBRANT CENTERS

Reinvest in city and town centers, promote compact development, density and mixed use, including a balance of jobs and housing

SUSTAINED GREEN SPACE

Define appropriate growth & preservation areas to protect open space, agricultural land and resources, especially water supply and quality, and

WHEREAS, a Reality Check Action Committee led by Triangle Tomorrow will lead a Quality Growth Initiative whereby each city and county of the 15-county Reality Check region will be asked to adopt and endorse the three Guiding Principles for Quality Growth, and

WHEREAS, cities and counties in this region will be encouraged to and supported in using these Guiding Principles to make future decisions about growth in their cities/counties; and

WHEREAS, the Town of Carrboro has been following similar principles for a number of years.

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

Section 1. The Board endorses the Reality Check Guiding Principles for Quality Growth.

Section 2. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 6th day of April 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 JOAL HALL BROUN AND SECONDED BY DAN COLEMAN TO ADJOURN TO CLOSED SESSION AT 10:19 P.M. TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE. VOTE: AFFIRMATIVE ALL

RECYCLERY

Alderman Slade asked if staff could assist with finding a new home for the Recyclery.

ORANGE COUNTY'S PROPOSED NO FAULT WELL REPLACEMENT POLICY

Alderman Broun asked for clarification on how Orange County arrived at the 3,000 foot impact area boundary in their proposed no fault well replacement policy.

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 10:35 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk