

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 24, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

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

HUMAN TRAFFICING

Patricia Witt with Soroptimist International made a presentation to the Board on human trafficking. She invited the Board to attend a conference on human trafficking scheduled for September 1, 2010 at 8:30 a.m. at the Hayes Barton United Methodist Church.

Alderman Coleman asked that Ms. Witt provide information on the breakout sessions from the September 1st conference to the Board of Aldermen.

The Board requested that Chief Hutchison be provided information on this conference.

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

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JACQUELYN GIST TO APPROVE THE JUNE 22, 2010 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING TO CONSIDER A MAP AMENDMENT FOR A PORTION OF THE PROPERTY LOCATED AT 8110 OLD NC 86/PHASES 3 AND 4 OF THE BALLENTINE DEVELOPMENT FROM R-R TO R-10/B-3 PLANNED UNIT DEVELOPMENT (ITEM C(2))

Section 15-321 provides for the initiation of amendments to the Town's zoning map. Such a petition has been received from M/I Homes LLC regarding the rezoning of its property at 8110 Old NC 86. A resolution that provides an opportunity for the Board of Aldermen to set a public hearing date, direct the staff to prepare an appropriate ordinance, and refer the request to advisory boards was provided.

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

A RESOLUTION SPECIFYING FOLLOW-UP TO THE REQUEST TO AMEND THE LAND USE ORDINANCE TO PLACE THE R-10/B-3 PLANNED UNIT DEVELOPMENT DISTRICT ZONING CLASSIFICATION ON A PORTION OF THE PROPERTY AT
8110 OLD NC 86
Resolution No. 04/2010-11

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

WHEREAS, the Board of Aldermen has received a request to rezone a portion of the parcel known as 7.23.C.31 and located at 8110 OLD NC 86 from R-R and R-20 to R-10/B-3; and

WHEREAS, adopted policies call for new commercial development to minimize negative environmental impact, to emphasize appropriate buffers, and not compromise the integrity of established neighborhoods.

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen:

Accept the petition, direct staff to prepare an ordinance that rezones 25.79 acres of the property at 8110 Old NC 86 (Orange County TMBL 7.23.C.31 from R-R and R-20 to R-10/B-3 PU, set a public hearing for September 28, 2010, and refer the rezoning petition to the Planning Board 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:

- Economic Sustainability Commission
- Northern Transition Area Advisory Commission
- Transportation Advisory Board

The following resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of August 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

REQUEST TO MAKE APPOINTMENTS TO THE ARTS COMMITTEE (ITEM C(3))

The Board was requested to consider appointing Collan Kneale and Paul Wyss to vacant seats on the Arts Committee.

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

A RESOLUTION MAKING APPOINTMENTS TO THE
ARTS COMMITTEE
Resolution No. 03/2010-11

WHEREAS, there are two vacant seats on the Arts Committee; and

WHEREAS, Collan Kneale and Paul Wyss have submitted applications; and

WHEREAS, these applications were forwarded to the Chair of the Arts Committee for consideration; and

WHEREAS, the Chair of the Arts Committee has submitted a summary of their applications.

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

Section 1. The Board of Aldermen hereby appoints Collan Kneale and Paul Wyss to the Arts Committee. Mr. Kneale's term shall expire on January 31, 2013 and Mr. Wyss' term shall expire on January 31, 2012.

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 24th day of August 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

A REQUEST TO REVISE THE BOARD OF ALDERMEN'S MEETING SCHEDULE (ITEM C(4))

The purpose of this item was to request that the Board of Aldermen cancel the October 19th Board of Aldermen meeting and set a special meeting of the Board for 5:30 p.m. on September 7th for the grand opening of Fire Station No. 2.

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

**A RESOLUTION REVISING THE BOARD OF ALDERMEN'S MEETING SCHEDULE
Resolution No. 02/2010-11**

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

Section 1. The Board of Aldermen hereby cancels its meeting scheduled for October 19th, 2010.

Section 2. The Board of Aldermen hereby schedules a special meeting at 5:30 pm on September 7th, 2010. The Board of Aldermen will be attending the grand opening of Fire Station No. 2.

Section 3. 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 24th day of August 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

REQUEST FOR BOARD APPROVAL OF A BANKING SERVICES CONTRACT (ITEM D(1))

At the Board meeting on February 16, 2010, the Board requested to delay the presentation on the banking services contract recommendation until February 23rd. In addition, staff was requested to attach the banking RFP that the Board reviewed at the November 17, 2009 Board meeting. The February 23rd presentation was delayed until March 16, 2010. At the Board meeting on March 16, 2010 Mayor Chilton suggested that the town staff request a six-month extension of the current contract with Bank of America and that the Board schedule approval of a banking services contract in August 2010. The purpose of this agenda item was to approve a bank as the official depository for the Town and to authorize the Town Manager to execute all related contracts regarding banking services desired by the Town. Town staff, as a result of reviewing RFP responses, recommended Harrington Bank.

Alderman Broun asked to be recused from discussion of this item because of personal involvement.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO RECUSE ALDERMAN BROUN. VOTE: AFFIRMATIVE ALL

Bridget Cook and Larry Loeser with Harrington Bank confirmed that Harrington Bank is owned through a Chapel Hill holding company and local majority owner. Ms. Cook stated that they will offer the town a combination of courier services and remote deposit capture for checks. There is a \$250.00 cap for cash deposits. Their non-discrimination and employment policy does include orientation and gender preference. They stated that they deal with Orange County Land Trust, EmPOWERMENT and a large number of local charities. Mr. Loeser stated that Harrington is in compliance with the regulatory problems, but the issue is not fully resolved. It should be finalized by the end of 2010.

Alderman Lavelle suggested that Harrington Bank include their nondiscrimination policy on their website.

Peggy Brady and Chris Jones with BB&T stated that they have a budget for charitable donations and a charitable foundation. They work with Piedmont Health Services, Residential Services, Child Care Services, Ronald McDonald House, with nonprofits, churches and schools. Mr. Jones stated that they are involved with Orange County Home Trust, EmPOWERMENT, Chamber of Commerce, and Chapel Hill Downtown Partnership. Ms. Brady stated BB&T is one of the largest Small Business Administration lenders in North Carolina.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Sammy Slade.

A RESOLUTION DIRECTING STAFF TO EXECUTE BANKING SERVICES CONTRACTS AND AGREEMENTS

Resolution No. 101/2009-10

WHEREAS, the Carrboro Board of Aldermen have received a report on the Banking Services RFP process.

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

Section 1. The Board designates Harrington Bank as the official depository for the Town.

Section 2. The Board awards the three-year contract to Harrington Bank, with the request for a status report in one year.

Section 3. The Board authorizes the Town Manager to execute all contracts and agreements to enable the banking services to occur (Attachment C).

The following resolution having been submitted to a vote received the following vote:

Ayes: Mark Chilton, Jacquelyn Gist and Sammy Slade

Noes: Dan Coleman, Lydia Lavelle and Randee Haven-O'Donnell

Absent or Excused: Joal Hall Broun

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY SAMMY SLADE TO AWARD HARRINGTON BANK A THREE-YEAR BANKING SERVICES CONTRACT, CONTINGENT ON THE REGULATORY PROBLEM THAT OCCURRED IN 2008 IS DECLARED RESOLVED BY OTS. (SECOND WITHDRAWN)

Mr. Stewart pointed out that the agreement with Bank of America expires on September 30th and the town staff would have to work with them on an extension.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DAN COLEMAN TO TABLE THIS MATTER UNTIL SEPTEMBER 7, 2010. VOTE: AFFIRMATIVE SIX, EXCUSED ONE (BROUN)

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DAN COLEMAN TO ADJOURN TO CLOSED SESSION TO DISCUSS A PERSONNEL MATTER AND COLLETON CROSSING MEDIATION. VOTE: AFFIRMATIVE ALL

SPECIAL CLOSED SESSION SCHEDULED

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DAN COLEMAN TO SET A SPECIAL CLOSED SESSION OF THE BOARD OF ALDERMEN FOR AUGUST 31, 2010 AT 7:30 P.M. FOR THE PURPOSE OF INTERVIEWING CANDIDATES FOR THE POSITION OF TOWN CLERK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 9:22 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Deputy Town Clerk