

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 16, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Randee Haven-O'Donnell
	Joal Hall Broun (arrived at 8:30 pm)
	Jacquelyn Gist
	Lydia Lavelle
	Sammy Slade
Town Manager	Steven E. Stewart
Deputy Town Clerk	Matt Efird
Town Attorney	Michael B. Brough
Absent or Excused	Dan Coleman

North Greensboro and Shelton Street Crosswalk Concerns

Nancy Largent spoke about the unsafe condition of the crosswalk at N. Greensboro St. and Shelton St. Ms. Largent spoke about repeated issues with pedestrian safety and proposed several solutions. Mayor Chilton explained that N. Greensboro is a state-controlled road and their involvement was needed to make any adjustments to the crosswalk.

A MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN HAVEN-O'DONNELL FOR STAFF TO RELAY MS. LARGENT'S IDEAS TO THE TRANSPORTATION ADVISORY BOARD.

FAIR TRADE RESOLUTION

Veronica Penn-Bartoo, from the Sociology of Human Rights course at UNC, presented a resolution supporting the fair trade movement.

A MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL AND SECONDED BY ALDERMAN GIST TO REFER THE RESOLUTION FOR STAFF TO REVIEW AND RETURN AT THE DECEMBER 7TH MEETING.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL AND SECONDED BY ALDERMAN GIST TO APPROVE THE OCTOBER 12, OCTOBER 26, AND NOVEMBER 9 MINUTES. VOTE: AFFIRMATIVE ALL.

A REQUEST TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR TRADEMARK PROTECTION FOR THE TOWN OF CARRBORO OFFICIAL TOWN SEAL, FIRE-RESCUE DEPARTMENT LOGO AND POLICE DEPARTMENT LOGO

The purpose of this agenda item is for the Board to consider a resolution authorizing the Town Manager to apply for trademark protection for the Town of Carrboro Official Town Seal, Fire-Rescue Department Logo and Police Department Logo.

The following resolution was introduced by Alderman Gist and duly seconded by Alderman Lavelle.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO APPLY FOR TRADEMARK PROTECTION FOR THE TOWN OF CARRBORO OFFICIAL TOWN SEAL, FIRE-RESCUE DEPARTMENT LOGO AND POLICE DEPARTMENT LOGO
Resolution No. 38/2010-11

WHEREAS, the Town of Carrboro has adopted a graphic design (attached hereto) that was created to be the Official Seal of the Town of Carrboro; and

WHEREAS, the Town of Carrboro has adopted a graphic design (attached hereto) that was created to be the Official Carrboro Fire-Rescue Department Logo; and

WHEREAS, the Town of Carrboro has adopted a graphic design (attached hereto) that was created to be the Official Carrboro Police Department Logo; and

WHEREAS, it is the desire of the Board of Aldermen that the use of said seal and logos, the official graphic emblems of the Town and applicable departments, be regulated so as to define appropriate use and control and ensure the consistency, quality, and application of their likeness, and to protect its character, dignity, and stature as emblems representing the Town of Carrboro and its citizens; and

WHEREAS, the Town of Carrboro owns the rights to the Town Seal and department logos and has the right to prohibit unauthorized use of the Seal and logos; and WHEREAS, the Board of Aldermen finds it is in the best interest of the Town of Carrboro to pursue trademark protection for the Official Seal of the Town of Carrboro, Fire-Rescue Department Logo and Police Department Logo, by filing applications with the Trademarks Division of the North Carolina Secretary of State's Office; and

WHEREAS, the Board of Aldermen finds that the Official Seal and department logos are intended for use on official Town of Carrboro documents, letterhead, forms, and official materials of the Town and its subsidiary departments as may be appropriate and necessary in the conduct of official business; and

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

1. The Town Manager is authorized to file applications with the Trademarks Division of the North Carolina Office of the Secretary of State for trademark protection for the Official Seal of the Town of Carrboro, Fire-Rescue department logo and Police Department logo;
2. Use of the Official Seal of the Town of Carrboro, Fire-Rescue department logo and Police Department logo by private persons or entities without express written permission from the Town Manager is prohibited;
3. Any provision of any town ordinance or resolution in conflict with this Resolution is hereby repealed.
4. 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 16th day of November 2010;

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

Noes: None

Absent or Excused: Dan Coleman, Joal Hall Broun

REQUEST TO MAKE AN APPOINTMENT TO THE GREENWAYS COMMISSION

The purpose of this item is for the Mayor and Board of Aldermen to consider appointing Damon Seils as the Planning Board's representative on the Greenways Commission.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE
GREENWAYS COMMISSION
Resolution No. 32/2010-11

WHEREAS, Amber Wagner previously served as the Planning Board's representative on the Greenways Commission; and

WHEREAS, Ms. Wagner has resigned from the Greenways Commission; and

WHEREAS, the Planning Board is recommending that Damon Seils be appointed as their representative on the Greenways Commission.

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

Section 1. The Board of Aldermen hereby appointments Damon Seils as the Planning Board's representative on the Greenways Commission. Mr. Seils' new term will expire on 7/1/2011.

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 16th day of November 2010;

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

Noes: None

Absent or Excused: Dan Coleman, Joal Hall Broun

TOWN CODE AMENDMENT RELATED TO CERTAIN BICYCLE FACILITIES

On September 21, 2010, the Board established certain bicycle facilities in accordance with the recommendations of the Comprehensive Bicycle Transportation Plan and the timing of the 2010 street resurfacing program. This amendment supplements that action by extending shared lane markings from Brewer Ln. to the Roberson bikepath via Hargraves and Wesley Sts. It also establishes the Roberson bikepath in the Town Code.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL AND DULY SECONDED BY ALDERMAN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 6 OF THE CARRBORO TOWN CODE TO ESTABLISH BIKEWAYS DESIGNATED BY SHARED LANE MARKINGS AND THE ROBERSON BIKE PATH." VOTE: AFFIRMATIVE ALL.

PRESENTATION OF COMPREHENSIVRE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2010

The purpose of this presentation was for the Town's independent auditor, Dixon Hughes, PLLC, to present and the Board to receive the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2010.

Arche McAdoo, the town's Finance Director, made the presentation.

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

A RESOLUTION ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT AND INDEPENDENT AUDITOR'S SAS 114 LETTER FOR FY 2009-10
Resolution No. 43/2010-11

WHEREAS, the Carrboro Board of Aldermen have received the annual FY 2009-10 Comprehensive Annual Financial Report including independent auditor's opinion and SAS 114 Letter; and

WHEREAS, the Aldermen were informed by the Town's independent auditors, Dixon Hughes, PLLC, that the Town's financial statements are free of material misstatement and that the audit tests conducted by the firm did not uncover any material weaknesses

NOW THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORIO;

Section 1: Accept the 2009-10 Comprehensive Annual Financial Report and the SAS 114 Letter.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 16th day of November 2010;

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

Noes: None

Absent or Excused: Dan Coleman, Joal Hall Broun

REQUESTS FROM THE LLOYD STREET NEIGHBORHOOD ASSOCIATION TO CONSTRUCT AND OPERATE A COMMUNITY GARDEN AT BALDWIN PARK THE CARRBORO PARKS PROJECT TO COMMENCE FUNDRAISING FOR THE PROJECT

The purpose of this agenda item was for the Board of Aldermen to consider a request from the Lloyd Street Neighborhood Association to construct and operate a community garden in Baldwin Park, 400 Broad Street. Rickie White from the association will present the proposal. Also the Carrboro Parks Project, (CPP) is seeking approval from the Board to begin fundraising for this project if approved.

Katie Allman will spoke on behalf of the Carrboro Parks Project.

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

**A RESOLUTION APPROVING THE REQUESTS BY THE LLOYD STREET NEIGHBORHOOD ASSOCIATION TO CONSTRUCT AND OPERATE A COMMUNITY GARDEN AT BALDWIN PARK AND THE CARRBORO PARKS PROJECT TO COMMENCE FUNDRAISING FOR THE PROJECT
Resolution No. 37/2010-11**

WHEREAS, the members of the Lloyd Street Neighborhood Association would like to bring together the communities of Lloyd Street/Baldwin Park and Northside in a community service project to build relationships across town lines; and

WHEREAS, the association would like to supply fresh food to participants, neighbors, and folks in need, and encourage all residents of the neighborhood to lead a more healthy, active and aware lifestyle; and

WHEREAS, the association presented their proposal to Town staff for review; and

WHEREAS, staff supports the creation of a community garden at this location; and

WHEREAS, members have presented their proposal to the Board of Aldermen detailing plans for a community garden; and

WHEREAS, The Carrboro Parks Project (CPP) has requested permission to begin fundraising for the project, pending Board approval of the project; and

WHEREAS, the Board has reviewed the request.

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

Section 1. The Board of Aldermen approves/denies the request of the Lloyd Street Neighborhood Association to construct and operate a community garden at Baldwin Park and approves/denies a request from the Carrboro Parks Project to commence fundraising for the project.

Section 2. Town staff will work with the association and CPP to develop the agreement and other basic needs using the Martin Luther King Jr. Community Garden model.

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 16th day of November 2010;

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

Noes: None

Absent or Excused: Dan Coleman, Joal Hall Broun

PRESENTATION OF CIP

Alderman Joal Hall Broun arrived during this item at 8:30 pm.

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

A RESOLUTION TO CONSIDER AND ADOPT THE RECOMMENDED CAPITAL IMPROVEMENTS
PROGRAM FISCAL YEAR 2011-2012 THROUGH FISCAL YEAR 2016-2017
Resolution No. 44/2010-11

WHEREAS, the Town of Carrboro recognizes that a Capital Improvements Plan enables staff and the Board to plan for a vibrant community; and

WHEREAS, the Capital Improvements Plan is a six-year planning tool designed to help the Town plan for the repair, replacement, and acquisition of capital items; to assist in financial planning; to ensure better coordination and evaluation of projects; to provide necessary lead time for project planning, permitting, design; and to maintain or improve the Town's credit rating and fiscal health; and

WHEREAS, the Recommended FY2011-12 through FY2016-17 Capital Improvements Program has been updated from last year's comprehensive revision of the Town's capital needs; and

WHEREAS, this plan is updated annually for Board review; and

WHEREAS, adjustments for anticipated projects can also be made each year during the annual revision of the Town's budget; and

WHEREAS, this flexibility in the planning and implementation of capital needs makes Carrboro's Capital Improvements Plan responsive to the changing needs of its diverse community.

THEREFORE BE IT RESOLVED that the Town of Carrboro Board of Aldermen has received the *Recommended Capital Improvements Program -Fiscal Year 2011-2012 through Fiscal Year 2016-2017* and adopts this capital program.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 16th day of November 2010;

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

Noes: None

Absent or Excused: Dan Coleman

REQUEST TO DISCUSS THE POTENTIAL FOR A 2011 PLANNING RETREAT

The purpose of this item is to request that the Board of Aldermen discuss several items related to a potential 2011 Planning Retreat.

Steve Stewart, the Town Manager, made the presentation.

The following was introduced by Alderman Gist and duly seconded by Aldermen Broun.

**A RESOLUTION SETTING A SPECIAL MEETING OF THE BOARD OF ALDERMEN
Resolution No.39/2010-11**

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

Section 1. The Board of Aldermen hereby sets a special meeting for the 2011 Planning Retreat on Sunday, January 30, 2011 at 1:00 p.m. with the location of the meeting to be set at a later date.

Section 2. The Board of Aldermen approves the contract for services with The Dispute Settlement Center and authorizes the Town Manager to execute the contract.

Section 3. The Board of Aldermen shall propose items for the retreat agenda no later than December 7th, 2010.

Section 4. 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 16th day of November 2010;

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

Noes: None

Absent or Excused: Dan Coleman

MOTION WAS MADE BY ALDERMAN AND SECONDED BY ALDERMAN TO ADJOURN THE MEETING AT 9:54 P.M. VOTE: AFFIRMATIVE SIX, (ABSENT COLEMAN).

Mayor

Deputy Town Clerk