

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 7, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

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

ORANGE COUNTY VOICE-OWASA FOREST MANAGEMENT PLAN

Bonnie Houser, President of Orange County Voice, expressed concern regarding the Orange Water and Sewer Authority (OWASA) Draft Forest Management Plan. She asked the Board to consider a resolution requesting that the OWASA Board of Directors reject the Draft Forestry Plan and replace it with a program targeted to improve water quality and that they form an ad hoc citizen board to review OWASA's Draft Forestry Plan for the Cane Creek Protected and Critical Watersheds.

MOTION WAS MADE BY ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN RANDEE HAVEN-O'DONNELL REQUESTING A PRESENTATION BY THE TOWN'S OWASA REPRESENTATIVES THAT INCLUDES INFORMATION ON THE FORESTRY MANAGEMENT PLAN AND THE SELECTION OF TRUE NORTH AS OWASA'S FORESTING CONSULTANT AND THAT THE PRESENTATION TAKE PLACE PRIOR TO OWASA TAKING ANY ACTION ON THE DRAFT FORESTRY PLAN. VOTE: AFFIRMATIVE ALL.

A RESOLUTION SUPPORTING THE FAIR TRADE MOVEMENT

Sara Lacey, a UNC student, read a resolution supporting the Fair Trade Movement.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION SUPPORTING THE FAIR-TRADE MOVEMENT

Resolution No. 48/2010-11

WHEREAS, the Board of Aldermen received a petition from students in the Sociology of Human Rights course of the University of North Carolina at Chapel Hill requesting that the Town of Carrboro adopt a resolution supporting the Fair Trade movement; and

WHEREAS, Fair Trade is an innovative market strategy that promotes fair labor practices and healthy, safe work environments through the production of food and other goods: and

WHEREAS, Fair Trade provides producers with fair prices that translate into livable wages; and

WHEREAS, the Town of Carrboro adopted the Universal Declaration of Human Rights on April 21, 2009; and

WHEREAS, production of Fair Trade goods is achieved through sustainable and ecologically friendly means, thus contributing to the future of a healthy planet for all; and

WHEREAS, as consumers we all have a responsibility to be aware of the impact that our consumption has on the communities that produce the goods we purchase; and

WHEREAS, consumers have a voluntary choice to purchase Fair Trade goods; and

WHEREAS, we recognize that supporting our local economy by purchasing locally and ethically produced goods and services is in keeping with the values of Fair Trade; and

WHEREAS, the Town of Carrboro has the opportunity to lead by example and present a model of social responsibility for other towns and cities to follow;

NOW, THEREFORE, BE IT RESOLVED that when purchasing goods for the Town, the Town of Carrboro urges its employees to procure local and Fair Trade products when those products are available, meet applicable Town standards and statutory purchasing requirements, and are competitively priced: and

BE IT FURTHER RESOLVED that the Board of Aldermen encourages members of our community to support the Fair Trade movement by buying local and Fair Trade products: and

BE IT FURTHER RESOLVED that the Board of Aldermen supports effort in the community to promote awareness of Fair Trade issues and the benefits of purchasing local and Fair Trade Products.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 7th day of December 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

CARRBORO ARTSCENTER

Ed Camp, with Carrboro ArtsCenter, discussed the current ArtsCenter membership campaign and the importance of membership funds.

PROCLAMATION ISSUED

Mayor Chilton proclaimed December 15, 2010 as the “Bill of Rights Day” in Carrboro.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN DAN COLEMAN TO APPROVE THE MINUTES OF NOVEMBER 16, 2010 AND NOVEMBER 23, 2010. VOTE: AFFIRMATIVE ALL.

RECREATIONAL TRAILS PROGRAM GRANT PROJECT ORDINANCE

The Town of Carrboro, through the Recreation and Parks Department, has been awarded a \$75,000 grant by the North Carolina Department of Environmental and Natural Resources (NCDENR) Recreational Trails Program to assist in the construction of Phase 1A of the Bolin Creek Greenway. This grant requires a local match of \$18,751.20. The Board is requested to approve a grant project ordinance to recognize these revenues and appropriate them for expenditure for their intended purpose.

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN DAN COLEMAN TO ADOPT THE ORDINANCE ENTITLED, “2010 RECREATIONAL TRAILS PROGRAM GRANT PROJECT.” VOTE: AFFIRMATIVE ALL.

PHYSICAL ACTIVITY IN THE BUILT ENVIRONMENT GRANT PROJECT ORDINANCE

The Town of Carrboro, through the Planning Department, has been awarded a \$24,900 grant by the North Carolina Department of Health and Human Services (NCDHHS), Division of Public Health, for planning activities to encourage physical activity and active lifestyles. There are no local match requirements for this grant. The Board is requested to approve a grant project ordinance to recognize these revenues and appropriate them for expenditures for their intended purpose.

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN DAN COLEMAN TO ADOPT THE ORDINANCE ENTITLED, “2010 PHYSICAL ACTIVITY IN THE BUILT ENVIRONMENT GRANT PROJECT.” VOTE: AFFIRMATIVE ALL.

A RESOLUTION GIVING STAFF DIRECTION ON THE 2011 LEGISLATIVE BREAKFAST

The purpose of this item is to request that the Board of Aldermen authorize the Town Clerk to work with the legislative delegation to determine suitable dates for the 2011 Legislative Breakfast.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Dan Coleman:

A RESOLUTION GIVING STAFF DIRECTION ON THE
2011 LEGISLATIVE BREAKFAST
Resolution No. 50/2010-11

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

Section 1. The Board of Aldermen hereby authorizes the Town Clerk to contact the Town’s Legislative Delegation to obtain possible dates for the 20101 Legislative Breakfast.

Section 2. The Town Clerk will return to the Board of Aldermen at a future public meeting to request that the Board set a date for the 20101 Legislative Breakfast.

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 7th day of December 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

SECTION 319 WATERSHED RESTORATION GRANT PROJECT ORDINANCE

The Town is continuing its multi-year program for watershed restoration efforts through the recent award of a Federal Section 319 grant from the North Carolina Department of Environmental and Natural Resources (NCDENR). The Board is requested to approve a grant project ordinance to recognize all revenues and appropriate them for expenditure.

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN DAN COLEMAN TO ADOPT THE ORDINANCE ENTITLED, “2010 SECTION 319 WATERSHED RESTORATION GRANT PROJECT.” VOTE: AFFIRMATIVE ALL.

**USE OF CERTAIN FUNDS FOR AN OLD CARRBORO TRAFFIC CIRCULATION STUDY AND
ADDITIONAL DOWNTOWN TRAFFIC OPERATIONS AND SAFETY ANALYSIS**

The Board of Aldermen is asked to approve the use of \$5,000 budgeted for a traffic circulation study in the Old Carrboro neighborhood as a local match for federal planning funds that have become available to the Town through the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) to complete an approximately \$25,000 planning process including the Old Carrboro Traffic Circulation Study itself and additional downtown traffic operations and safety analysis.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Dan Coleman:

**A RESOLUTION APPROVING OF THE USE OF PREVIOUSLY BUDGETED FUNDS AS A LOCAL
MATCH FOR FEDERAL PLANNING FUNDS TO COMPLETE A TRAFFIC CIRCULATION STUDY FOR
THE OLD CARRBORO NEIGHBORHOOD AND CONDUCT ADDITIONAL DOWNTOWN TRAFFIC
OPERATIONS AND SAFETY ANALYSIS**

Resolution No. 53/2010-11

WHEREAS, *Carrboro Vision 2020* states that the “safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential”; and,

WHEREAS, on September 16, 2008, the Board of Aldermen directed Town staff to “schedule a meeting with the neighborhood to discuss the development of a comprehensive traffic flow plan for the neighborhood” and complete related tasks;

WHEREAS, previously rescinded federal planning funds under the Unified Planning Work Program of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization are available for use by the Town for transportation planning activities provided a local match can be identified;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the \$5,000 allocation currently budgeted for the Old Carrboro Traffic Circulation Study may be used as a local match for federal planning funds to complete the following tasks:

1. Old Carrboro Traffic Circulation Study
2. Assessment of traffic operations, bicycle and pedestrian conditions, and safety on W. Main St.
3. As funding allows, tasks associated with the analysis of the traffic impacts of the Weaver Street Reconstruction
4. As funding allows, tasks associated with the analysis of pedestrian safety along N. Greensboro St.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 7th day of December 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

APPROVAL OF ENERGY EFFICIENCY PROGRAM

The purpose of this agenda item is to provide an update on recent staff activities related to an ARRA award from the US Department of Energy, for energy efficiency in buildings, being administered through the Southeast Energy Efficiency Alliance.

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

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

**A RESOLUTION FOR APPROVING THE TOWN'S
ENERGY EFFICIENCY PROGRAM DESIGN
Resolution No. 52/2010-11**

WHEREAS, an ARRA grant application has been submitted to and accepted by the US Department of Energy (USDOE) Retrofit Ramp Up/Better Buildings program by the Southeastern Energy Efficiency Alliance (SEEA) in collaboration with the Town of Carrboro, the Town of Chapel Hill and other southeastern jurisdictions to pursue community scale energy efficiency retrofits; and

WHEREAS, the Town has accepted the grant award of \$75,000 and negotiated an agreement with the Southeast Energy Efficiency Alliance, and developed a Memorandum of Understanding with Chapel Hill to share administrative and monitoring and verification costs and make all necessary arrangements to implement a first year budget; and

WHEREAS, the agreement with SEEA and the Memorandum of Understanding with Chapel Hill through the spring of 2011 includes extension of \$55,000 of loans through a revolving loan to small businesses, with an additional \$5,000 of funds for supporting residential energy efficiency, and the remainder to administration via a contractor, Clean Energy Solutions, and monitoring and verification; and

WHEREAS, the Town has received \$37,500 of the grant award, with the remainder being contingent on successful review of progress to date, including completion of a program design. This review will occur in December, 2010; and

WHEREAS, Town staff have worked with Chapel Hill Town staff and staff from Clean Energy Solutions to develop program design details, and have submitted a report to SEEA on progress to date.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that they approve the program design prepared by staff, in cooperation with Clean Energy Solutions, and authorize staff to work with Clean Energy Solutions, Chapel Hill staff, SEEA, contractors, and other interested parties to implement the program design.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 7th day of December 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 REVIEW OF AFFORDABLE HOUSING IN THE CLAREMONT AIS CONDITIONAL USE PERMIT PROJECT

The Board of Aldermen approved a Major Modification to a Conditional Use Permit on March 17, 2009 to incorporate Phases 4 and 5 into the previously approved Claremont AIS CUP. The developer is now interested in discussing the possibility of modifying the affordable housing component of phases 4 and 5 of the project. At this time, the Board of Aldermen is asked to review and discuss the affordable housing component of the project.

Omar Zinn, with Parker Louis Construction Company, requested the Board's support in modifying the approved layout for Claremont Phases 4 and 5. He stated that options include reducing the total number of units from 96 to 75 or rezoning the property to increase the allowed density. The modification will ultimately result in the reduction of affordable housing units and the addition of a commercial space. He stated that he will work with Planning Staff to submit an application for modification.

REQUEST TO DISCUSS THE AGENDA FOR THE 2011 PLANNING RETREAT, SETTING A SPECIAL MEETING OF THE BOARD OF ALDERMEN AND CANCELLING A MEETING OF THE BOARD OF ALDERMEN

The purpose of this item is to request that the Board of Aldermen discuss several items related to ~~the~~ the 2011¹⁰ Planning Retreat, which has been set for January 30, 2011 at 1:00 pm, set a special meeting of the Board of Aldermen for that date and time, and cancel the February 1st, 2011 Board of Aldermen meeting.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Joal Hall Broun:

A RESOLUTION SETTING A SPECIAL MEETING OF THE BOARD OF ALDERMEN AND
CANCELLING A BOARD OF ALDERMEN MEETING
Resolution No. 51/2010-11

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. at OWASA.

Section 2. The Board of Aldermen hereby cancels the February 1, 2011 Board of Aldermen meeting.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 7th day of December 2010;

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN JACQUELYN GIST THAT THE RETREAT AGENDA INCLUDE THE FOLLOWING TOPICS:

1. CLIMATE CHANGE AND POSSIBLE CREATION OF A TASKFORCE
2. REVIEW OF LOCAL LIVING ECONOMY TASKFORCE RECOMMENDATIONS
3. IMPACT OF THE ARTS ON ECONOMIC DEVELOPMENT
4. TOWN ECONOMIC DEVELOPMENT PRODUCTION
5. USE OF STATISTICAL DEMOGRAPHIC INFORMATION FOR ECONOMIC DEVELOPMENT
6. BOARD'S ECONOMIC DEVELOPMENT STANCE IN REGARDS TO ORANGE COUNTY

VOTE: AFFIRMATIVE ALL.

LETTER TO SCHOOL BOARD

MOTION MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN GIST TO INCLUDE THE "EXPECTATION OF EXCELLENCE FROM EVERY STUDENT" IN ALDERMAN BROUN'S LETTER TO THE SCHOOL BOARD.

THE PASSING OF ELIZABETH EDWARDS

Mayor Chilton acknowledged the passing of Elizabeth Edwards and expressed the Town's sympathy to her family.

RESOLUTION TO SUPPORT S. 3065, REPEALING "DON'T ASK, DON'T TELL"

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

RESOLUTION IN SUPPORT OF S. 3065, REPEALING "DON'T ASK, DON'T TELL" Resolution No. 49/2010-11

WHEREAS, in the United States, service in the Armed Forces by lesbian, gay, and bisexual Americans has been at question for many years, leading to the creation of the National Defense Authorization Act of 1994 (Public Law 103-160), more commonly known as the "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" or simply the "Don't Ask, Don't Tell" policy; and

WHEREAS, the Servicemembers Legal Defense Network has found that this policy of "Don't Ask, Don't Tell" led to the discharge of nearly 10,000 service members in its first ten years, including nearly 800 with "critical skills," of which 322 were linguists; and

WHEREAS, the United States Armed Forces is currently unable to meet its own recruiting goals, thus forcing National Guard and Reserve members to serve extended tours of duty, while at the same time highly qualified and patriotic gay, lesbian and bisexual Americans are prevented from serving solely because of their sexual orientation; and

WHEREAS, low troop levels put national security at risk through lack of personnel, inadequate training, increased troop fatigue and stress, and decreased morale; and

WHEREAS, the "Don't Ask, Don't Tell" policy also affects national security and military readiness in more insidious manners, including harassment, violence, secrecy, and lack of confidential medical care, all of which undermine unit cohesion; and

WHEREAS, the Department of Defense has issued four reports since 1957 examining the presence of lesbian, gay, and bisexual servicemembers in the Armed Forces, with findings indicating that these servicemembers do not pose security risks nor impair military readiness, but rather perform their duties as well as heterosexual servicemembers; and

WHEREAS, most recently, on November 30, 2010, the Pentagon presented a report to the United States Congress that stated that "the risk of repeal of 'Don't Ask, don't Tell' to overall military effectiveness is low," and that "with a continued and sustained commitment to core values of leadership, professionalism, and respect for all, we are convinced that the U.S. military can adjust and accommodate this change, just as it has others in history," and

WHEREAS, lesbian, gay, and bisexual servicemembers have served and are serving bravely and honorably in all branches of the United States Armed Forces and in all locations, national and international, numbering one million veterans and 65,000 active duty personnel, according to the Servicemembers Legal Defense Network; and

WHEREAS, top United States national security agencies do not discriminate against their personnel based on sexual orientation, rather, the Department of Homeland Security, the Central Intelligence Agency, the Defense Intelligence Agency, the Federal Bureau of Investigation, and the National Security Agency all allow personnel to serve openly, leaving the Armed Forces as the only agency in the federal government that still uses sexual orientation to discriminate in employment decisions; and

WHEREAS, many of America's allies, including Israel, Australia, Canada, and the United Kingdom, allow lesbian, gay, and bisexual servicemembers to serve openly in their militaries, and the United Kingdom now actively recruits these servicemembers; and

WHEREAS, the Servicemembers Legal Defense Network finds that American taxpayers spend nearly \$26 million a year training replacements for servicemembers discharged under the "Don't Ask, Don't Tell" policy, with unknown costs associated with the actual discharge or these servicemembers and non-monetary costs to troop cohesion and morale associated with the loss of unit members; and

WHEREAS, national security and military readiness will be best served by allowing every willing and able American to serve in the United States Armed Forces, without regard to sexual orientation.

NOW THEREFORE, BE IT RESOLVED that the Carrboro Board of Aldermen hereby supports S. 3065, the Military Readiness Enhancement Act of 2010 (and related house bill H.R. 1283, the Military Readiness Enhancement Act of 2009), an act that when passed will replace the current "Don't Ask, Don't Tell" policy with a policy of nondiscrimination based on sexual orientation.

BE IT FURTHER RESOLVED that the City Clerk shall transmit copies of this resolution to Congressman David Price, and United States Senators Richard Burr and Kay Hagan.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 7th day of December 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

CENTENNIAL COMMITTEE

Alderman Gist discussed Carrboro Day and the Centennial Day budget. The Advisory Board Dinner and the Recreation and Parks Dinner will be combined and the only additional funding for that evening will be for

music, cupcakes, and refreshments. Carrboro Day will have additional music and a homecoming event at the Century Center. She requested \$2,800 in funding on behalf of the Centennial Committee.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL AND SECONDED BY ALDERMAN COLEMAN TO HAVE STAFF RETURN THIS ITEM TO THE BOARD WITH A RESOLUTION FOR CENTENNIAL EVENT FUNDING. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN COLEMAN TO ADJOURN THE MEETING AT 9:51 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk