

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 15, 2011 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

Absent or Excused:

APPROVAL OF PREVIOUS MEETING MINUTES

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN LAVELLE TO APPROVE THE MINUTES OF JANUARY 18, 2011 AND FEBRUARY 8, 2011, AS AMENDED. VOTE: AFFIRMATIVE ALL.

RECOGNITION OF EARTH HOUR

The purpose of this agenda item is to present a resolution supporting Earth Hour on March 26th, 2011. Alderman Slade asked Carrboro residents to use this time to be more aware of climate change.

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

A RESOLUTION FOR PARTICIPATION IN EARTH HOUR ON MARCH 26th, 2011 Resolution No.64 /2010-11

WHEREAS, March 26th, 2011, 8:30 PM has been designated as "Earth Hour" by the World Wildlife Fund as a reminder that, by working together, people can make a positive impact in the fight against climate change;

WHEREAS, cities and states across the country and around the world are joining with Carrboro to raise awareness and demonstrate commitment to addressing climate change by supporting "Earth Hour," and;

WHEREAS, "Earth Hour" involves something quite simple:—turning off lights for one hour;

WHEREAS, "Earth Hour" is the largest event of its kind in the world. On Saturday 27 March, Earth Hour 2010 became the biggest "Earth Hour" ever. A record 128 countries and territories joined the global display of climate action. Iconic buildings and landmarks from Asia Pacific to Europe and Africa to the Americas switched off;

WHEREAS, Carrboro has joined Cities for Climate Protection, and is committed to reducing greenhouse emissions;

WHEREAS, the Board of Aldermen adopted a climate protection resolution in December, 2009;

THEREFORE, the Carrboro Board of Aldermen, do hereby proclaim, March 26, 2011 from 8:30 – 9:30 p.m. as "Earth Hour" in Carrboro and call upon all residents and businesses of Carrboro to join in supporting the aims and goals of this effort.

FURTHERMORE, the Carrboro Board of Aldermen, do hereby direct staff to send out a public service announcement to publicize "Earth Hour".

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

APPROVAL OF A PIGGYBACK PURCHASE

The purpose of this agenda item is to request authorization for a piggyback purchase of a knuckleboom truck for the Public Works Department. The Board is requested to waive the formal bidding requirements and use the piggybacking purchase method allowed by N. C. General Statutes 143-129(g).

The following resolution was introduced by Alderman Coleman and duly seconded by Alderman Gist:

Resolution to Waive Bidding Requirements and Authorize Piggyback Purchase of a Resolution No. 66/2010-11

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro hereby:

Section 1: Authorizes a waiver of the bidding procedures of North Carolina General Statute 143-129(g); and,

Section 2: Authorizes the Town staff to enter into a purchase contract for a knuckleboom truck with Triple T Freightliner in the amount of \$103,058.00

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

A REQUEST TO ISSUE PERMITS FOR THE KIDNEY KARE 5K RUN/WALK

The purpose of this item is to consider Street Closing Permit Applications submitted by the UNC Kidney Center for the temporary closing and usage of streets to accommodate the Kidney Kare 5K Run/Walk on Saturday March 19, 2011 from 8:20 AM to 9:45 AM

The following resolution was introduced by Alderman Coleman and duly seconded by Alderman Gist:

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING AND USAGE OF THE FOLLOWING STREETS TO ACCOMMODATE THE KIDNEY KARE 5K RUN/WALK

Resolution No. 63/2010-11

- Section 1. The following streets shall be temporarily closed and used Saturday, March, 19 2011 from 8:20 am to 9:45 am to accommodate the Kidney Kare 5K Run/Walk:
Start and Finish on McDougale Southeast Drive
Right on *Hillsborough Rd* (Stay on Hillsborough Rd through the N Greensboro St split)
Right on *High St*
Right on *Main St* (stay in bike lane)
Right on *James St*
Left on *Hillsborough Rd* (stay in bike lane)
Left on *McDougale Southeast Drive*
- Section 2. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town.
- Section 3. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.
- Section 4. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 3 of this resolution.
- Section 5. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.
- Section 6. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place, of the contents of any resolution passed.

Section 7. Applicant will be responsible for all costs incurred by the Police and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police and Public Works.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING TO CONSIDER A MAP AMENDMENT FOR THE PROPERTY LOCATED AT 210 HILLSBOROUGH ROAD FROM R-10 TO B-2 CZ

Section 15-321 provides for the initiation of amendments to the Town's zoning map. Such a petition has been received from Orange County government, regarding the rezoning of property at 210 Hillsborough Road. Orange County has entered in to a contract to purchase the property for use as a downtown library location. 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 is provided.

Alderman Gist stated that the Board has wanted a library for a long time but she expressed concern with the proposed location and the level of County review. She noted that most signatures in the petition are from residents around the proposed location and that they are not in favor of the site.

Trish McGuire, the Town's Planning Administrator, stated that items included in the narrative will also be proposed in the rezoning request.

Mike Brough, Town Attorney, explained that 5% of the owners within a 100 ft. buffer around the property must sign a formal petition opposing the zoning. He also explained that if the property is rezoned to B-2 CZ and a library is not built, a separate rezoning process would have to take place to rezone the property back to R-10.

Alderman Slade urged all interested parties to attend the public hearing to discuss the proposed library site.

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

**A RESOLUTION SPECIFYING FOLLOW-UP TO THE REQUESTS TO AMEND THE
LAND USE ORDINANCE TO REZONE THE PROPERTY AT
210 HILLSBOROUGH ROAD
Resolution No. 58/2010-11**

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 the parcel known as 7.93.A.4 and located at 210 Hillsborough Road from R-10 to B-2 CZ, and

WHEREAS, adopted policies call for new non-residential 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:

Accepts the petition, directs staff to prepare an ordinance that rezones 210 Hillsborough Road (Orange County PIN 9778684269) from R-10 to B-2 CZ, sets a public hearing for March 22, 2011, and refers the draft ordinance 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:

Appearance Commission

Recreation and Parks Commission

Transportation Advisory Board

Northern Transition Area Advisory Committee

Environmental Advisory Board

Greenways Commission

Economic Sustainability Commission

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT RENEWAL
NOTICE OF PUBLIC COMMENT**

The purpose of this agenda item is to inform the Board and public that the North Carolina Division of Water Quality has issued a draft renewal of the Town's NPDES Phase II Stormwater Permit.

The following resolution was introduced by Alderman Coleman and duly seconded by Alderman Gist:

**A RESOLUTION ACCEPTING STAFF ABSTRACT INFORMING BOARD AND
PUBLIC OF NC DIVISION OF WATER QUALITY INTENT TO REISSUE
STORMWATER PERMIT
Resolution No. 68 /2010-11**

WHEREAS, the Town of Carrboro has been operating under NPDES stormwater permit # NCS000450 for the past five years; and

WHEREAS, the North Carolina Division of Water Quality (NCDWQ) has issued notice to receive public comment on reissuance of the draft permit through March 18th; and;

WHEREAS, staff have prepared an abstract providing information on NCDWQ's plans to renew the permit;

THEREFORE, the Carrboro Board of Aldermen, do hereby accept staff's abstract informing the Board and Carrboro citizens of NCDWQ's intent.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

BETTER BUILDINGS PROGRAM BRAND AND LOGO

The purpose of this agenda item is to inform the Board of a recommended brand and logo for the Southeast Energy Efficiency Alliance (SEEA) grant (Better Buildings Program).

The following resolution was introduced by Alderman Coleman and duly seconded by Alderman Gist:

**A RESOLUTION ACCEPTING WISE BRAND AND LOGO
FOR ENERGY EFFICIENCY PROGRAM
Resolution No. 69/2010-11**

WHEREAS, the Town of Carrboro is working with Chapel Hill and the Southeastern Energy Efficiency Alliance (SEEA) to pursue energy efficiency retrofits to existing buildings; and

WHEREAS, SEEA has developed a new brand and logo for the energy efficiency program;

THEREFORE, the Carrboro Board of Aldermen, do hereby accept staff's recommendation to adopt, without restriction, the brand and logo for Carrboro's program.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

APPOINTMENT TO THE TRANSPORTATION ADVISORY BOARD

The purpose of this item is to appoint Heidi Perry to a three year term on the Transportation Advisory Board.

The following resolution was introduced by Alderman Coleman and duly seconded by Alderman Gist:

**A RESOLUTION MAKING AN APPOINTMENT TO THE
TRANSPORTATION ADVISORY BOARD
Resolution No. 71/2010-11**

WHEREAS, Heidi Perry submitted an application to serve on the TAB; and

WHEREAS, Ms. Perry meets the requirements of appointment; and

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

Section 1. The Board of Aldermen hereby appoints Heidi Perry to the Transportation Advisory Board for a term of three years. Ms. Perry's term shall expire on February 1, 2014.

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 15th day of February 2011;

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

Noes: None

Absent or Excused: None

REPORT ON SAFE ROUTES TO SCHOOLS ACTION PLAN

The Board received a presentation of the draft Safe Routes to School Action Plan that offers recommendations on improving the safety and convenience of walking and cycling to school in Carrboro; specifically with Carrboro and McDougle Elementary Schools.

Jeff Brubaker, the Town's Transportation Planner, acknowledged the work of local school leaders, Town staff, police and fire workers during the design phase of the plan.

Christa Greene and Matt Hayes, Greenways Inc. Consultants discussed the Carrboro Safe Routes to Schools (CSRS) draft plan. The Safe Routes to school funding is not eligible for high school students. The draft plan encourages walking and riding bikes for elementary school children to help address the growing epidemic of childhood obesity. The top priorities for success in other national programs are education, encouragement, and enforcement. Some of the largest barriers of participation are parent concern in certain crossing areas on roadways with higher speeds. It was noted that "park and ride" locations are essential for children that live outside of walkable zones. They will also work with the schools to have a "bike workshop" day.

Aldermen Gist, Haven-O'Donnell and Broun suggested ongoing education programs within the PTA and school system.

Mayor Chilton recognized the effort of the Board, the Public Works Dept, Town Staff and their efforts in adding sidewalks in the Town of Carrboro. He explained that those efforts show Carrboro's commitment to increasing the walkability of Carrboro.

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

**A RESOLUTION ON THE SAFE ROUTES TO SCHOOL ACTION PLAN
RESOLUTION NO. 67/2010-11**

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 *Vision 2020* Policy 3.25 encourages pedestrian safety; and

WHEREAS, the Carrboro Comprehensive Bicycle Transportation Plan of 2009 recommends implementing Safe Routes to School planning activities and events; and

WHEREAS, the federal Safe Routes to School program was created in 2005 in the Federal Highway Administration to provide support for Safe Routes to School planning, projects, and promotions nationwide; and

WHEREAS, the Town of Carrboro, Carrboro and McDougle Elementary Schools, stakeholders, and consultants have developed a Safe Routes to School Action Plan to guide future decisions on increasing the viability and safety of walking and bicycling to school; and

WHEREAS, public comments on the plan were received at a Public Open House on May 3, 2010, and through other opportunities;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen receives the presentation of the Safe Routes to School Action Plan.

BE IT FURTHER RESOLVED that:

1. This resolution be shared with area Parent/Teacher Associations, School Administrators and the School Board; and
2. Staff continue to work with PTA and Schools on the education of the Safe Routes to Schools Program; and
3. The final plan will be made available on the Town’s website and provided to the Board.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

UPDATE ON CAMPUS-TO-CAMPUS BICYCLE CONNECTOR

The purpose of this agenda item was to receive an update from the Town of Chapel Hill on the proposed Campus-to-Campus Bicycle Connector. A report on the connector has recommended “Route A” – which travels through Carrboro – as the preferred route. The Board was asked to provide comments to Town of Chapel Hill staff. The Town of Chapel Hill received the report in October and asked staff to share with advisory boards in Chapel Hill and the Town of Carrboro. The chosen route is mostly public right-of-way and follows the rail lines. It is also the flattest and longest route.

Mary Jane Nirdlinger, Assistant Planning Director for the Town of Chapel Hill, made the presentation. She asked the Board to provide comment on how the plan would fit into the Town's priorities and how it relates to other plans within the Town. She stated that Route A has been the most preferred route with other Boards. The first areas of focus could possibly be two unpaved sections of the bikepath. Applications for Carolina North have not been received at this time and funding is not currently available.

Alderman Coleman stated that the connection with Village Drive provides a good connection with the Town's proposed Greenways Plan. He also noted that no funding is currently available for the building of Carolina North.

Julie McClintock, with Campus to Campus Bike Connector Advocacy Committee, stated that all key players have been involved and supportive of the proposed bikepath. However, funding is not specified in the agreement. She suggested developing a design as a "next step" and that the plan should not wait on the development of Carolina North.

Mayor Chilton stated that the crossing at Estes Park Apartments should be a public right-of-way and has been closed by the owners of Estes Park Apartments. He also suggested that the Town of Chapel Hill pursue the implied easement in the Estes Park Apartments. He approves of Route "A," but suggested additional outreach for the Lloyd Street neighborhood. He is concerned with the unpaved areas of Broad Street in Chapel Hill and the existing culvert over Lloyd's Branch and the costs associated with those sections of the proposed path. He suggested a conversation on a fair way to allocate costs concerning the proposed plan. He suspects that the Towns of Chapel Hill and Carrboro have a similar vision on the Estes Park section and recommended that a joint-adopted plan be prepared prior to meeting with Department of Transportation. He also suggested that the Board consider projects for the Town of Carrboro and rank the projects in the order of importance so that Metropolitan Planning Organization funding can be requested.

Alderman Broun suggested that both jurisdictions should determine the cost of the design work and continue to seek additional funding sources.

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

**A RESOLUTION PROVIDING COMMENTS ON THE TOWN OF CHAPEL HILL CAMPUS-
TO-CAMPUS CONNECTOR REPORT
Resolution No. 70/2010-11**

WHEREAS, *Carrboro Vision 2020* states: "The Town should establish connections with bicycle and pedestrian ways in other jurisdictions"; and

WHEREAS, the Carrboro Comprehensive Bicycle Transportation Plan sets a goal of a "safe and accessible network of bicycle facilities"; and

WHEREAS, the Town of Chapel Hill planning staff prepared the Campus-to-Campus Connector Report to outline recommendations for a future bicycle and pedestrian route between the UNC main campus and Carolina North;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the update on the Campus-to-Campus Connector Report and provides the following comments:

1. The Board supports the recommended “Route A”; and
2. Staff will coordinate with Chapel Hill to develop a joint-supported design and Fair Cost Allocation; and
3. Staff will continue to provide the Board with information on the Town Surface Transportation Programs Direct Allocation (STPDA)/Transportation Improvement Program (TIP) projects for review, costs of the design work and alternative funding possibilities.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 15th day of February 2011;

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

Noes: None

Absent or Excused: None

BOLIN CREEK GREENWAY CALENDAR

Julie McClintock, with Friends of Bolin Creek, presented the Board with a 2011 calendar with scenes from Bolin Creek.

BROAD STREET COMMUNITY GARDEN

Alderman Broun asked that staff provide an update on the Broad Street Community Garden.

CENTENNIAL EVENT MC

MOTION WAS MADE BY ALDERMAN HAVEN-O’DONNELL AND SECONDED BY ALDERMAN COLEMAN FOR ALDERMAN GIST TO BE THE MC OF THE CENTENNIAL EVENT ON MARCH 3, 2011. VOTE: AFFIRMATIVE ALL.

THE STATION ROOF-TOP SIGN

Alderman Slade discussed the possibility of The Station having a centennial themed sign placed on their roof top. It was recommended that the owners of The Station contact the Town’s Planning and Zoning Department.

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN BROUN TO
ADJOURN THE MEETING AT 9:17 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk