

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 21, 2011 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor Pro Tem:	Randee Haven-O'Donnell
Aldermen	Joal Hall Broun
	Jacquelyn Gist
	Lydia Lavelle
	Sammy Slade (Arrived at 7:25p.m.)
Town Manager	Steven E. Stewart
Town Clerk	Catherine Wilson
Town Attorney	Bob Hornick

Absent or Excused:

Mayor:	Mark Chilton
Alderman:	Dan Coleman

**ED KERWIN**

Mr. Ed Kerwin, Executive Director of OWASA, thanked Mr. Steve Stewart for his service to the community.

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**APPROVAL OF PREVIOUS MEETING MINUTES**

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN BROUN TO APPROVE THE MINUTES OF THE JUNE 14, 2011 BOARD OF ALDERMEN MEETINGS. VOTE: AFFIRMATIVE FOUR, ABSENT THREE (CHILTON, COLEMAN, SLADE)

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**AUTHORIZATION FOR THE TOWN MANAGER TO AWARD A CONSTRUCTION CONTRACT FOR THE ELM STREET PROJECT**

The purpose of this agenda item was to authorize the Town Manager or Interim Town Manager to award and execute, on behalf of the Town of Carrboro, a contract with the lowest responsible, responsive bidder for construction of the Elm Street Sidewalk Project (SR-5001AE), provided the award of the contract is approved by the North Carolina Department of Transportation (NCDOT).

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

RESOLUTION AUTHORIZING THE TOWN MANAGER OR INTERIM TOWN MANAGER TO AWARD AND EXECUTE ON BEHALF OF THE TOWN OF CARRBORO A CONTRACT AND ANY CHANGE ORDERS WITHIN THE BUDGETED AMOUNT WITH THE LOWEST RESPONSIBLE RESPONSIVE BIDDER FOR THE PROJECT KNOWN AS TOWN OF CARRBORO ELM STREET SIDEWALK PROJECT (State Project No. 40924.3.30; TIP No. SR-5001AE)

Resolution No. 137/2010-11

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

The Town Manager or Interim Town Manager of the Town of Carrboro is hereby authorized to award and execute on behalf of the Town of Carrboro a contract and any change orders with the Lowest Responsible Responsive Bidder in the amount not to exceed the budgeted amount for the Town Of Carrboro Elm Street Sidewalk Project (State Project No. 40924.3.30; TIP No. SR-5001AE) and Concurrence in Award, provided the award of the contract is approved by the North Carolina Department of Transportation.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman, Sammy Slade

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**AUTHORIZATION FOR THE TOWN MANAGER TO AWARD A CONTRACT FOR MORGAN CREEK DESIGN AND ENGINEERING**

The Board was asked to authorize the Town Manager or Interim Town Manager to execute a contract for preliminary engineering services for the Morgan Creek Greenway and to adopt a Capital Project Ordinance.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER OR INTERIM TOWN MANAGER TO AWARD ON BEHALF OF THE TOWN OF CARRBORO A CONTRACT FOR PRELIMINARY ENGINEERING SERVICES FOR THE MORGAN CREEK GREENWAY PROJECT (NCDOT TIP# EL-4828)

Resolution No. 143/2010-11

WHEREAS, on March 16, 2010, the Board of Aldermen adopted the Morgan Creek Greenway Conceptual Master Plan, supported the ongoing development of the greenway, and directed staff to pursue a Municipal Agreement with NCDOT; and

WHEREAS, on October 5, the Board approved a Supplemental Agreement with NCDOT to administer federal funding to design and build early phases of the Morgan Creek Greenway; and

WHEREAS, Town staff have undertaken a Request for Qualifications process to select the most qualified firm to deliver the project; and

WHEREAS, federal and state law requires that negotiations be conducted with the selected firm to establish a fair and reasonable price for the contract; and

WHEREAS, NCDOT policy requires an audit of the firm's contract proposal prior to the beginning of negotiations;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager or Interim Town Manager to execute, on behalf of the Town of Carrboro, a contract for preliminary engineering services for the Morgan Creek Greenway (EL-4828), subject to the following:

- The contract shall be executed at a fair and reasonable price with the most qualified firm, as determined by the Request for Qualifications process for the Morgan Creek Greenway commenced by the Town in October 2010, after a completed pre-negotiation audit by NCDOT and negotiation by Town of Carrboro staff that addresses all audit comments, except that if negotiations are unsuccessful in reaching a fair and reasonable price for the services with the most qualified firm, the negotiations may be terminated and initiated with the next-most qualified firm, consistent with NCGS §143-64.31(a).

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21<sup>ST</sup> day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman, Sammy Slade

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN BROUN TO ADOPT AN ORDINANCE ENTITLED "MORGAN CREEK GREENWAY CAPITAL IMPROVEMENT PROJECT ORDINANCE, FY 2010-2011." VOTE: AFFIRMATIVE FOUR, ABSENT THREE (CHILTON, COLEMAN, SLADE)

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**CONSIDERATION OF AN APPOINTMENT TO THE ECONOMIC SUSTAINABILITY COMMISSION**

The Board of Aldermen was requested to consider making an appointment to the vacant seat on the Economic Sustainability Commission.

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

A RESOLUTION MAKING AN APPOINTMENT TO THE  
ECONOMIC SUSTAINABILITY COMMISSION  
Resolution No.149/2010-11

WHEREAS, there is currently one vacant seat on the Economic Sustainability Commission; and

WHEREAS, this position has been advertised and Arthur Beven Ramsey has submitted an application; and

WHEREAS, the Chair of the Economic Sustainability Commission has prepared a summary of the application.

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

Section 1. The Board of Aldermen hereby appoints Arthur Beven Ramsey to the Economic Sustainability Commission to fill a vacant seat for a term that shall expire February 2012.

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 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman, Sammy Slade

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**REQUEST TO APPROVE DESIGNATION OF FUND BALANCE FOR FY 2010-11 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED**

The Board was requested to designate fund balance for certain budget items where funds have not been spent or encumbered.

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

A RESOLUTION APPROVING DESIGNATION OF FUND BALANCE FOR FY 2010-11  
BUDGET ITEMS NOT YET SPENT OR ENCUMBERED  
Resolution No. 155/2010-11

WHEREAS, the Town Manager, Steven E. Stewart, has described to the Board the desirability of adopting a resolution to designate fund balance for the following projects:

BE IT RESOLVED by the Board of Aldermen that fund balance be designated to fund the following items:

<b>Designated Fund Balance FY 2010-11</b>	<b>Amount</b>
Local Match, STP-DA Funding for Smith Level Road	\$ 8,650
Letter of Credit cashed, Town assumes responsibility for work – PIKA Developers/Tramore Subdivision	\$ 42,219
OWASA Subsidy	\$ 98,502
Fines and Forfeitures	\$ 4,544
Better Buildings Program	\$ 7,900
Arts Committee	\$ 2,958
C&D Memorabilia	\$ 438
Fire Department - Car Seat Sales	\$ 3,681
Appearance Commission, Historic Plaque Program	\$ 605
Unexpended Narcotics Fund	\$ 4,467
Wilson Park Bathroom	\$ 5,000
Adams Tract Pedestrian Bridge	\$ 30,000
Dog Park Fence Renovation	\$ 11,000
Wilson Park Playground Equipment for 2-5 Year Olds	\$ 31,500
Rain Demo Garden	\$ 4,251
Old Carrboro Neighborhood Traffic Management Study (Oak Avenue)	\$ 5,000
Culbreth Sidewalk	\$ 2,000
Northern Area Design Workshops	\$ 4,500
<b>TOTAL</b>	<b>\$ 267,215</b>

*FY 2010-11 Budget Items*

**Local Match, STP-DA Funding for Smith Level Road (\$8,650)** – This is Town’s match for installation of bicycle detectors on Smith Level Road.

**PIKA Developers/Tramore Subdivision – Letter of Credit Cashed (\$42,219)** – Per Land Use regulations, the Town has cashed a letter of credit from the PIKA Developers to assume responsibility for incomplete work on the Tramore subdivision. Staff is reviewing options for the best use of the available funds.

**OWASA Subsidy (\$98,502)** – The unspent portion of the OWASA sewer subsidy budget is reserved annually until spent entirely.

**Fines and Forfeitures (\$4,544)** – The Carrboro Police department uses these funds to supplement ongoing investigations and anticipates using the unexpended funds toward investigations activity in the upcoming year.

**Better Buildings Program (\$7,900)** – These funds are to continue energy efficiency efforts under the Southeast Energy Efficiency Alliance grant.

**Arts Committee (\$2,958)** – The Arts Committee has unexpended funds remaining and requests to reserve the funds for use in the upcoming year.

**CD & Memorabilia (\$438)** - The CD & Memorabilia Show is held annually and is self-supporting. Funds remaining after expenses are carried over.

**Fire Department – Car Seat Sales (\$3,681)** – The Fire Department received a grant in previous years to purchase car seats and install them in the vehicles on a sliding fee scale. Revenue earned and unspent funds are carried over to continue the program.

**Appearance Commission (\$605)** – Funds rolled over will assist with costs of plaques for the historical preservation program.

**Unexpended Narcotics Investigations Funds (\$4,467)** - The Police Departments requests that unexpended funds for undercover investigations be carried over to the next fiscal year.

**Wilson Park Bathroom (\$5,000)** – The bathroom renovation at Wilson Park is under contract, and the department requests that these unexpended funds be reserved for unforeseen contingencies.

**Adams Tract Pedestrian Bridge (\$30,000)** – Construction of a pedestrian bridge in Adams Tract.

**Dog Park Fence Renovation (\$11,000)** - Safety improvements will be made to the dog park, providing separate spaces for small and large dogs.

**Wilson Park Playground Equipment (\$31,500)** – Replace obsolete and worn out playground equipment for 2-5 year olds at Wilson Park to maintain safe play environment.

**Rain Garden Demo (\$4,251)** – The purpose of this project is to support Bolin Creek watershed restoration activities through demonstration of appropriate best practices such as rain gardens and outreach and education regarding these practices.

**Old Carrboro Neighborhood Traffic Management Study (\$5,000)** – The Planning Department requests to set aside funds for discussion of traffic management issues around Oak Avenue.

**Culbreth Sidewalk (\$2,000)** – This is Town of Carrboro’s local match share for joint sidewalk project with Chapel Hill.

**Northern Area Design Workshops (\$4,500)** – Contractual services for community visioning and design workshops related to mixed use development in the Northern Study Area.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman, Sammy Slade

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**PERSONNEL ORDINANCE CHANGE AMENDING THE TOWN CODE TO REFLECT CHANGES TO THE FAMILY AND MEDICAL LEAVE ACT AND TO PROVIDE CLARIFICATION OF INSURANCE BENEFITS**

[Alderman Slade arrived at the meeting.]

The purpose of this item was to present to the Board of Aldermen amendments to the Personnel Ordinance to provide clarification regarding health insurance coverage for employees working less than full-time and to reflect changes to the Family and Medical Leave Act. These amendments make certain that the Ordinance reflects current law.

MOTION WAS MADE BY ALDERMAN LAVELLE AND SECONDED BY ALDERMAN GIST TO REFER THIS ITEM BACK TO STAFF AND THE TOWN ATTORNEY FOR FEEDBACK ON ADDING THE LANGUAGE "DOMESTIC PARTNER" AFTER THE WORD "SPOUSE" AND "OR CHILD OF THE DOMESTIC PARTNER" AFTER THE WORD "CHILD" IN THE TOWN'S PERSONNEL ORDINANCE. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHILTON, COLEMAN)

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**ADOPTION OF THE FY 2011-2012 BUDGET**

By state law, the Board must approve a balanced budget for the Town by July 1<sup>st</sup> of every year. The purpose of this agenda item was to complete the budget discussions and adopt the budget ordinance.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN BROUN TO ADOPT AN ORDINANCE ENTITLED "ANNUAL BUDGET ORDINANCE, TOWN OF CARRBORO, NORTH CAROLINA, FY 2011-12." VOTE AFFIRMATIVE FIVE, ABSENT TWO (CHILTON, COLEMAN)

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

**RESOLUTION ADOPTING THE FISCAL YEAR 2011-12**

PAY AND CLASSIFICATION PLAN  
Resolution No. 150/2010-11

WHEREAS, the Board of Aldermen adopts a comprehensive position classification and pay plan for the Town of Carrboro; and

WHEREAS, the Town Manager has prepared the 2011-12 Pay and Classification Plan.

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

Section 1. The Pay and Classification Plan, dated July 1, 2011 – June 30, 2012, a copy of which is attached to this resolution, is hereby adopted as the official Pay and Classification Plan for fiscal year 2011-2012.

Section 2. All previously adopted versions of the Pay and Classification Plan, which conflict with this resolution, are hereby repealed.

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 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman

The following resolution was introduced by Alderman Gist and seconded by Alderman Broun:

**RESOLUTION APPROVING A ONE-TIME LUMP SUM PAYMENT TO  
PERMANENT FULL-TIME AND PART TIME EMPLOYEES  
Draft Resolution No.151/2010-11**

**BE IT RESOLVED** that the Town of Carrboro Board of Aldermen hereby approves the following as a part of the Annual Budget for FY 2011-12:

Section 1. Permanent full-time and part-time employees shall receive a one-time lump sum payment based on their annual performance review rating in FY 2010-11 and whether they are earning below or above the Minimum Housing Wage of \$15.31 per hour. The amount of the lump sum payment shall be as follows:

<b>Minimum Housing Wage</b>	<b>Outstanding Performance Rating</b>	<b>Proficient Performance Rating</b>
Below \$15.31/Hour	\$ 1,250	\$ 1,000
At or Above \$15.31/Hour	\$ 1,000	\$ 750

Section 2. The lump sum payment for permanent part-time employees will be pro-rated based on the number of hours worked.

Section 3: Except as noted in Section 4 below, the lump sum payment to permanent employees will be disbursed to employees on or before July 22, 2011.

Section 4. Employees hired during FY 2010-11 will be eligible for the lump sum payment in Section 1 above upon completion of their Annual Performance Review.

Section 5. The lump sum payment is subject to taxes and retirement costs.

Section 6. The lump sum payment for appointed employees shall be \$1,000.

Section 7: The lump sum payment for elected officials shall be \$750.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman

The following resolution was introduced by Alderman Gist and seconded by Alderman Broun:

**A RESOLUTION APPROVING MISCELLANEOUS FEES AND CHARGES SCHEDULE**  
Resolution No. 152/2010-11

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

Section 1: The Board hereby approves the attached Miscellaneous Fees and Charges Schedule for FY 2011-12 effective July 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 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman

The following resolution was introduced by Alderman Gist and seconded by Alderman Broun:

**REIMBURSEMENT RESOLUTION**  
Resolution No. 153/2010-11

WHEREAS, the Town Manager, Steven E. Stewart, has described to the Board the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase installment financing.

BE IT RESOLVED by the Board of Aldermen as follows:

Section 1. The equipment and vehicles to be purchased in FY2011-12 include the following:

<b>Department</b>	<b>Vehicle</b>	<b>Cost</b>
Rec & Parks	Full Size Pick up -Replace #016	\$ 16,000
Rec & Parks	Small Pick up -Replace #015	\$ 15,800
Planning	Mid size SUV - Replace #135	\$ 28,000
Police	Administration-Replace vehicle #190	\$ 28,000
Police	Patrol Vehicle-Replace vehicle #205	\$ 33,600
Police	Patrol Vehicle-Replace vehicle #206	\$ 33,600
Police	Patrol Vehicle-Replace vehicle #207	\$ 33,600
Police	Patrol Vehicle-Replace vehicle #208	\$ 33,600
Police	Patrol Vehicle-Replace vehicle #235	\$ 33,600
Police	Investigations-Replace vehicle #204	\$ 27,300
Police	Animal Control vehicle - Replace K-9	\$ 15,750
	<b>TOTAL</b>	<b>\$ 298,850</b>

Section 2. The expected type of financing (which may be subject to change) for the above equipment and vehicles is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20. The currently expected maximum amount of obligations to be issued or contracted for the items is \$298,850.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for the aforementioned items are intended to be reimbursed from the financing proceeds up to an amount of \$298,850.

Section 4. The adoption of this resolution is intended as a declaration of the Town's official intent to reimburse project expenditures from financing proceeds.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman

The following resolution was introduced by Alderman and seconded by Alderman:

**A RESOLUTION APPROVING CONTRACT FOR TOWN ATTORNEY**  
Resolution No. 154/2010-11

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

Section 1: The Board hereby approves a contract for legal services with the Brough Law Firm for FY 2011-12 effective July 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 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman

**TIM JONES AND JERRY GLASS**

Mr. Jones spoke about the Town's revolving loan program and asked that the Board circumvent the usual application process and consider their application directly. They asked that the Board consider rewriting the procedures for the revolving loan fund application process. They also expressed concerns over possible business competitors and conflicts of interest on the Economic Sustainability Commission.

Mr. Steve Stewart stated that, at this time, there has been no formal action taken by the ESC regarding the referenced application.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN LAVELLE TO RECEIVE A STAFF REPORT CONTAINING FURTHER DETAILS ON THIS ISSUE ON JUNE 28, 2011. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHILTON, COLEMAN)

Alderman Broun asked that the Town Attorney follow-up with additional information on conflicts of interest.

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**UPDATE ON SURFACE WATER PROTECTION AND RESTORATION ACTIVITIES**

The purpose of this agenda item was to provide an update on nonregulatory and regulatory activities related to surface waters in Carrboro.

Randy Dodd, the Town’s Environmental Planner, made the presentation and answered questions from the Board. He explained that the Jordan Lake Rules require that the Town identify two projects per year that are potential retro-fit opportunities. He noted that this is the first year of this requirement. Projects are prioritized by costs effectiveness, feasibility, and nutrient reduction. Projects are identified by various methods including prior studies and staff research. He also noted that part of the Jordan Lake Rules related to nitrogen reduction in existing developments could have a \$3 million impact between the years of 2014 and 2023.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN SLADE FOR STAFF TO REVIEW RELATED LEGISLATIVE ACTIONS AND TO REPORT BACK IN AUGUST ON ANY IMPACT THEY MAY HAVE ON THE TOWN SURFACE WATER EFFORTS. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHILTON, COLEMAN)

The following resolution was introduced by Alderman Broun and seconded by Alderman Gist:

RESOLUTION RECEIVING REPORT ON  
TOWN’S SURFACE WATER MANAGEMENT PROGRAM  
Resolution No. 138/2010-11

**WHEREAS**, the North Carolina General Assembly, Environmental Management Commission and Division of Water Quality have adopted and are implementing rules to limit nitrogen and phosphorus inputs to Jordan Lake, and

**WHEREAS**, these Rules adopted for Jordan Lake in 2009 are unprecedented in the state in mandating that the Town of Carrboro and a few other local governments reduce nitrogen from “existing development”, and

**WHEREAS**, the Town of Carrboro and its citizens have been leaders over the years in protecting the environment in water quality, land use regulation, stream buffer protection, open space preservation, and stormwater management, and

**WHEREAS**, the financial impact of the existing development provisions in the rules will likely be significant, and

**WHEREAS**, the Division of Water Quality will also be reissuing an NPDES stormwater permit in the spring of 2011 to the Town which could require additional local resources to implement;

**HEREBY BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT**

The Board accepts the staff report “Update on Surface Water Protection and Restoration Activities”

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman

MOTION WAS MADE BY ALDERMAN SLADE AND SECONDED BY ALDERMAN BROUN FOR STAFF TO LOOK INTO THE USE OF PERMEABLE PAVEMENT AS AN OPTION FOR PARKING IN COMMERCIAL AND RESIDENTIAL DEVELOPMENTS AND REPORT BACK IN THE FALL. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHILTON, COLEMAN)

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**STAFF UPDATE ON FEEDBACK FROM WEAVER STREET BUSINESSES CONCERNING A POSSIBLE STREET REOPENING CELEBRATION**

The purpose of this agenda item was for Staff to provide the Board with feedback from Weaver Street businesses and additional information related to a possible re-opening celebration on Weaver Street.

George Seiz, the Town’s Public Works Director, stated that staff met with representatives from the Spotted Dog, Maple View Ice Cream, the Bee Hive, Weaver Street Market, and Carr Mill Mall to discuss the possible delayed reopening. Nathan Milian, manager of Carr Mill Mall, was the only business opposed to the delayed reopening. He reminded the Board that providing an advance notice of the project’s completion is almost impossible due to so many variables.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN SLADE FOR STAFF TO CONTINUE TO UPDATE THE BOARD REGARDING THE TIMELINE OF THE PROJECT AND TO NOTIFY THE BOARD WHEN THE ASPHALT HAS CURED TO A STANDARD THAT WILL ALLOW FOR FOOT AND BIKE TRAFFIC WITHOUT DAMAGING THE SURFACE. VOTE: AFFIRMATIVE FOUR, ABSENT TWO (CHILTON, COLEMAN), NEGATIVE ONE (HAVEN-O’DONNELL)

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**ENERGY EFFICIENCY PROGRAM UPDATE AND APPROVAL OF RESIDENTIAL PROGRAM DESIGN**

The purpose of this agenda item was for staff to provide an update on recent activities related to an ARRA award for energy efficiency in buildings, in cooperation with the Southeast Energy Efficiency Alliance (SEEA) and Chapel Hill, and to approve a residential program design for the next phase of the program.

Randy Dodd, the Town’s Environmental Planner, made the presentation. He explained that the program is offered on a first-come, first-serve basis. The town has publicized the program on the Town’s website and provided notice to the media. Currently, SEEA Grant Funds are ineligible for use for workforce training but staff has been in communication with the Orange County Campus of Durham Tech and contractors to encourage the training.

Steve Stewart, Town Manager, noted that the funds have not been received by the Town and that the expenditures will not be possible until funds have been received.

Matt Efird, Assistant to the Town Manager, stated that staff has been working with JOCCA and Orange County Tax Assessor to identify low-income homes that are eligible for the program.

The following resolution was introduced by Alderman Broun and seconded by Alderman Slade:

**A RESOLUTION FOR ACCEPTING THE STAFF REPORT AND APPROVING THE RESIDENTIAL DESIGN FOR THE ENERGY EFFICIENCY PROGRAM**

Resolution No. 148/2010-11

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 a grant award of \$75,000 and negotiated an agreement with the SEEA, 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 first half of 2011 includes extension of \$55k of loans through a revolving loan fund to small businesses, with an additional \$5k of funds for supporting residential energy efficiency, and the remainder to administration via a contractor, Clean Energy Solutions, and quality assurance, monitoring and verification; and

WHEREAS, the Town has applied for an additional \$50,000 of discretionary funds from SEEA, with approval being contingent on successful demonstration of progress to date, and anticipated success as demonstrated through sound program design;

WHEREAS, Town staff continue to work with Clean Energy Solutions, Chapel Hill, SEEA, and Duke Energy staff and contractors to develop program design details, provide additional subsidies, and meet ARRA requirements;

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accept the staff update, approve the Residential Energy Efficiency Program Design, and authorize the Town Manager to update the Memorandum of Agreement with Chapel Hill and accept new funding from SEEA if it becomes available.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 21st day of June 2011;

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

Noes: None

Absent or Excused: Mark Chilton, Dan Coleman

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### **CONTINUED DISCUSSION OF THE TOWN MANAGER RECRUITMENT PROCESS**

The purpose of this item was for the Board to receive proposals from firms that could assist in the recruitment and selection process for the position of Town Manager.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN BROUN FOR STAFF TO POLL THE BOARD TO DETERMINE THEIR AVAILABILITY DURING JULY 6<sup>TH</sup>, 7<sup>TH</sup>, AND 8<sup>TH</sup>, 2011 FOR A MEETING TO INTERVIEW SLAVIN MANAGEMENT CONSULTANTS AND SPRINGSTED INC. STAFF SHOULD ALSO CONTACT SLAVIN MANAGEMENT CONSULTANTS AND SPRINGSTED INC. TO DETERMINE THEIR AVAILABILITY DURING THOSE DAYS. THE BOARD SHOULD BEGIN TO DEVELOP QUESTIONS FOR THE SEARCH FIRMS AND SUBMIT THEM TO THE TOWN CLERK FOR COMPILATION. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (COLEMAN, CHILTON).

It was suggested by the Board that the meeting not begin prior to 6:00pm and that each firm should be interviewed for approximately one hour.

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### **POSSIBLE GREENWAYS COMMISSION MEMBERSHIP STRUCTURE CHANGE**

Alderman Haven-O'Donnell requested that the Board consider revising the Greenways Commission membership by changing the seats currently designated for groups to at-large seats. The change would result in a total of 6 at-large seats.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL AND SECONDED BY ALDERMAN BROUN FOR THE TOWN ATTORNEY TO DRAFT AN AMENDMENT TO THE TOWN CODE

REGARDING THE COMPOSITION OF THE GREENWAYS COMMISSION AND FOR THIS ITEM TO BE CONSIDERED DURING THE JUNE 28, 2011 MEETING. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHILTON, COLEMAN)

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN BROUN AND SECONDED BY ALDERMAN GIST TO ADJOURN THE MEETING AT 9:27 P.M. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (CHILTON, COLEMAN)

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Mayor

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Town Clerk