

A work session of the Carrboro Board of Aldermen was held on Tuesday, March 13, 2012 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Dan Coleman
	Jacquelyn Gist
	Lydia Lavelle
	Randee Haven-O'Donnell
	Michelle Johnson
	Sammy Slade
Town Manager	David Andrews
Town Clerk	Catherine C. Wilson
Town Attorney	Michael B. Brough

A RESOLUTION HONORING MATT EFIRD

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

A RESOLUTION OF APPRECIATION
FOR MATT EFIRD
Resolution No. 106/2011-12

WHEREAS, Matt Efird, who received his undergraduate degree at Stetson University and his Master of Public Administration at the University of Central Florida, and who worked for the City of Deland, Florida in various capacities from 2005-2009, started working for the Town of Carrboro on February 2, 2009 in the position of Assistant to the Town Manager; and

WHEREAS, upon the retirement by Steve Stewart as Carrboro Town Manager on August 1, 2011, Matt was hired by the Board of Aldermen to serve as Interim Town Manager while a national search to fill the position took place; and

WHEREAS, this interim position, initially projected to last four months, has lasted for over seven months; and

WHEREAS, Matt's work plan (dated May 24, 2011, during the time the Board was considering appointing him to serve as Interim Town Manager), outlining thirteen task areas, was met and exceeded; in particular, in Matt's own words, "I understand my primary responsibility during this time will be to 'keep the ship afloat' by continuing current projects and ensuring continued delivery of Town services in an efficient and effective manner until such time that a new Town Manager is selected," and

WHEREAS, Matt's first month in office was marked by two meteorological events; first, Carrboro residents felt the tremors of a rare earthquake which occurred in Virginia, causing building damage as far away as New York City; after investigation, Matt and his staff announced that Carrboro had not been affected by the earthquake; one week later, Carrboro found itself preparing for the unknown path of Hurricane Irene, and Matt and his staff made preparations in the event the Town were to face the brunt of the storm; thankfully, this did not happen; and

WHEREAS, as the months continued, Carrboro businesses, residents and visitors dealt with the frustration of the Weaver Street construction project, and Matt and his staff helped ease the frustration stemming out of this year-long event; and

WHEREAS, the national Occupy Movement started during Matt's tenure, and locally presented various challenges, such as concerns over Carrboro's participation in the University Chrysler incident and the temporary occupation of the 201 North Greensboro property in Carrboro, which Matt and his able staff handled with the support of the community and the Board of Aldermen; and

WHEREAS, other circumstances that occurred under Matt's tenure included protests over and the subsequent abolishing of the anti-lingering ordinance, building code violations at Abbey Court, and difficulties arising from N.C. Department of Transportation easement acquisition efforts along Smith Level Road, all of which were handled by staff competently and without incident; and

WHEREAS, Matt has shown excellent oversight of all aspects of town government, such that the typical citizen most likely would not have noticed the change in leadership in the Town since everything ran so smoothly; and

WHEREAS, as well as overseeing all town operations, Matt has prepared Board of Aldermen agendas in a manner that has kept the Board moving forward until the permanent Town Manager position was filled; and

WHEREAS, Matt completed the annual update to the Town's six year capital improvements plan, effectively bringing a sense of these tough economic times to the town's long term financial plan; and

WHEREAS, Matt was recognized as a WCHL Hometown Hero of the Day on January 10, 2012, for his fine work as Interim Town Manager; and

WHEREAS, through it all, Matt openly acknowledged moments of relative inexperience and embraced opportunities for continual learning so as to become an ever more experienced and effective public servant.

NOW THEREFORE BE IT RESOLVED, that the Board of Aldermen:

- 1) Publicly thanks Matt Efird for his outstanding service to the Town of Carrboro as Interim Town Manager from August 1, 2011 – March 11, 2012; and
- 2) Thanks Matt for his role in the orderly transition of duties to the new Town Manager, David Andrews; and
- 3) Wishes him well as he returns to his former position as Assistant to the Town Manager, undoubtedly the better for the experience.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 13th day of March 2012:

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

Noes: None

Absent or Excused: None

TOWN MANAGER OATH OF OFFICE

Mayor Chilton issued the oath of office to new Town Manager David Andrews.

UNC ADVERTISEMENT ON WRDU

Alderman Johnson explained that UNC currently advertises on WRDU and that Rush Limbaugh is also aired on that station. Based on recent comments by Rush Limbaugh, there is concern with the UNC and WRDU affiliation.

MOTION WAS MADE BY ALDERMAN SLADE AND SECONDED BY ALDERMAN COLEMAN TO HAVE A RESOLUTION REGARDING THE MATTER FOR MARCH 20, 2012. VOTE: AFFIRMATIVE ALL

CHARGES ISSUED

The Town Clerk issued charges to the following recent appointees to the Town's Advisory Boards:

- 1) Jessica Ferrer – Planning Board
- 2) Patricia Young – Human Services Advisory Commission.

CONCERNS FROM THE STATION OWNER

Mike Benson, owner of Southern Rail, asked for more information on the Town's noise ordinance and more information on the Town's Fire Code as it pertains to the 1-B Overlay zoning district. He recommended that the noise ordinance be associated with a decibel level, similar to the Town of Chapel Hill's. He also stated that the fire code prohibits them from having a picnic table on a concrete slab and asked the Board to amend the code to allow for exceptions. He also asked how the 1-B Overlay Zoning District is established.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN COLEMAN FOR STAFF TO PROVIDE A FOLLOW-UP REPORT. VOTE: AFFIRMATIVE ALL

“GUERRILLA GARDENING” PLANTING EVENT AT 201 N. GREENSBORO

The Mayor asked that staff provide a report on police response plans associated with the “guerilla gardening” event that has been advertised on fliers throughout Town.

Carolyn Hutchison, the Town's Police Chief, stated that persons that enter the property located at 201 N. Greensboro, without permission, will be guilty of trespassing. Persons that vandalize the fence will be guilty of destruction of real property. If they stay outside of the fence it will be ok as long as no streets or sidewalks are blocked and no one vandalizes property. In response to a question from Alderman Coleman, she explained that anyone breaking the law will be given an opportunity to comply with law enforcement orders but, if they do not comply, they will be arrested.

Alderman Coleman asked if yarn bombing, adorning the fence, or tossing a plant, or soil, onto the property would constitute a crime.

Mike Brough, the Town's attorney, stated that he doesn't think that yarn bombing would constitute "damage" to the fence. He stated that he would have to report back if tossing a plant onto the property would constitute a crime but he believes it may be considered littering.

Mayor Chilton asked that Town Staff make themselves available on Saturday to have information available to those that may be interested in participating in an existing community garden.

Alderman Johnson suggested that the Board have a future conversation on how to have conversations that involve the entire community.

MOTION WAS MADE BY ALDERMAN JOHNSON AND SECONDED BY ALDERMAN GIST FOR STAFF TO PROCEED IN THE MANNER THAT WAS OUTLINED BY CHIEF HUTCHISON. VOTE: AFFIRMATIVE ALL

REPORT ON DOWNTOWN TRAFFIC CIRCULATION

The Board of Aldermen received a report on traffic circulation in the downtown area.

Jeff Brubaker, the Town's Transportation Planner, made the presentation to the Board.

Alderman Slade asked if E. Weaver Street could be closed on a Sunday afternoon without affecting level of service on Main Street. Mr. Brubaker stated that further research is required.

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

A RESOLUTION RECEIVING A REPORT ON DOWNTOWN TRAFFIC CONDITIONS
Resolution No. 104/2011-12

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

WHEREAS, several approved or proposed development projects, capital projects, and planning processes affecting traffic in downtown Carrboro suggest a need to reflect on conditions for all of these modes;

WHEREAS, on November 1, 2011, the Board of Aldermen received a preliminary report on downtown traffic, including a summary of recommendations from plans, policies, and studies;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. The Board receives the report.
2. The Board directs staff to follow up with additional traffic information as it is received and analyzed.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 13th day of March 2012:

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

Noes: None

Absent or Excused: None

A PRESENTATION ON THE OWASA DRAFT DROUGHT RESPONSE OPERATING PROTOCOL

Alan Reimer, vice chairmen of the OWASA Board, and Ed Holland, an OWASA employee, presented the Draft Drought Response Operating Protocol (DROP) to the Mayor and Board of Aldermen.

Alderman Slade expressed concern of defining when to use OWASA's Jordan Lake allocation in the draft protocol in ways that undermine the intent, as expressed in the WSMPBA agreement, of using Jordan Lake only for emergencies.

Alderman Coleman stated that he feels that the water purchase line should be where stage 2 is located.

Dana Stidham, the Town's representative to the OWASA Board, stated that she suggested to the OWASA Board that the water purchases begin after restrictions and rate surcharges have had a chance to take effect.

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

**A RESOLUTION RECEIVING A REPORT ON THE ORANGE WATER AND SEWER AUTHORITY
DRAFT DROUGHT RESPONSE OPERATING PROTOCOL
Resolution No. 105/2011-12**

WHEREAS, the Carrboro Board of Aldermen has received a request from OWASA Board Chair, Gordon Merklein, for a meeting to discuss the Draft Drought Response Operating Protocol, and;

WHEREAS, the Board of Aldermen has received a copy of the Draft Drought Response Operating Protocol for review and presentation from OWASA representatives.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. The report on the Draft Drought Response Operating Protocol is received.
2. The following comments on the draft protocol are hereby provided:
 - A. Water should not be purchased prior to stage 2 water shortage being declared. Stage 2 water shortage is understood only as specified in the graph that is pictured in the Draft Drought Response Operating Protocol (Average Annual Withdrawals of 8.0 MGD) and for equivalent graphs of different MGD's." The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 13th day of March 2012:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Mark Chilton, Michelle Johnson, Jacquelyn Gist

Noes: Randee Haven-O'Donnell

Absent or Excused: None

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN GIST TO
ADJOURN THE MEETING AT 9:40 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk