

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 1, 2012 in the Orange County Southern Human Service Center.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Dan Coleman
	Jacquelyn Gist
	Randee Haven-O'Donnell
	Michelle Johnson [<i>Arrived at 7:34p.m.</i>]
	Sammy Slade [<i>Arrived at 7:34p.m.</i>]
Town Manager	David Andrews
Town Clerk	Catherine C. Wilson
Town Attorney	Michael B. Brough

Absent:

Alderman	Lydia Lavelle
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A RESOLUTION OF APPRECIATION TO THE CARRBORO CIVIC CLUB

The purpose of this item was to request that the Board of Aldermen consider a resolution of appreciation to the Carrboro Civic Club.

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

A RESOLUTION OF APPRECIATION TO THE CARRBORO CIVIC CLUB Resolution No. 142/2011-12

WHEREAS, the Carrboro Civic Club was originally founded in 1945 under the name of the Carrboro Club for Town Improvement and Beautification; and

WHEREAS, since then, they have helped to beautify the Town of Carrboro; and

WHEREAS, over the past sixty plus years, they have dedicated themselves to many club projects that have enhanced the lives of Carrboro's citizens; and

WHEREAS, they take the initiative to lend a hand, and are always looking for opportunities to be of service; and

WHEREAS, they generously devote their time to helping behind the scenes, asking nothing in return; and

WHEREAS, the Carrboro Civic Club deserves a standing ovation for their invaluable contribution!

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

Section I. On behalf of the Town of Carrboro and its citizens, the Mayor and Board of Aldermen hereby express their sincere thanks and gratitude to the Carrboro Civic Club for their generosity of time and energy.

Section II. This resolution shall be entered into the official minutes of the Board of Aldermen and a copy therefore shall be delivered to the Carrboro Civic Club.

Section III. 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 1st day of May 2012:

Ayes: Dan Coleman, Mark Chilton, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: Lydia Lavelle, Sammy Slade, Michelle Johnson

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF APRIL 17 AND 24, 2012. VOTE: AFFIRMATIVE ALL

REQUEST TO CANCEL THE MAY 8, 2012 BOARD OF ALDERMEN MEETING

The purpose of this item was for the Board to cancel the May 8, 2012 meeting.

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

A RESOLUTION CANCELLING THE MAY 8, 2012
MEETING OF THE BOARD OF ALDERMEN
Resolution No. 131/2011-12

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

Section 1. The Board of Aldermen hereby cancels its meeting scheduled for May 8, 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 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

**REQUEST TO SET THE PUBLIC HEARING ON THE PTA THRIFT SHOP
CONDITIONAL USE PERMIT**

PTA Thrift Shop Inc. as represented by Coulter, Jewell and Thames, submitted an application for the redevelopment of the existing thrift shop located at the intersection of West Main Street and Jones Ferry Road (Attachment B). The plans include associated infrastructure such as publicly dedicated streets and utilities. The subject properties are zoned Rural Residential (R20).

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

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED PTA THRIFT
SHOP CUP**

Resolution No. 147/2011-12

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed projects; and

WHEREAS, an application has been received for a Conditional Use Permit authorizing the redevelopment of the existing PTA Thrift shop in the combined properties located at the intersection of Jones Ferry Road and West Main Street identified by Orange County PIN numbers as 9778-75-6819, 9778-75-7818, 9778-75-7982 & 9778-75-8933

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on May 22nd, 2012 to discuss the proposed PTA Thrift Shop CUP project.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

REQUEST TO SET A PUBLIC HEARING ON DRAFT SAFE ROUTES TO SCHOOL ACTION PLAN

The Board was asked to set a public hearing on the draft Safe Routes to School Action Plan, which offers recommendations on improving the safety and convenience of walking and cycling to school in Carrboro.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON
THE SAFE ROUTES TO SCHOOL ACTION PLAN
Resolution No. 148/2011-12**

WHEREAS, the Carrboro Board of Aldermen seeks to establish safe routes to school; and

WHEREAS, the Town received a service award from NCDOT to craft a Safe Routes to School Action Plan; and

WHEREAS, the Town contracted with Greenways Inc. and Greene Transportation Solutions to prepare an Action Plan;

WHEREAS, the "Action Plan Team," an appointed steering committee, guided plan development and provided comments at public meetings;

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on May 22, 2012 to consider adopting the "Safe Routes to School Action Plan."

BE IT FURTHER RESOLVED that the Safe Routes to School Action Plan is referred to the Town of Carrboro Planning Board and Transportation Advisory Board for their recommendations.

BE IT FURTHER RESOLVED that the Safe Routes to School Action Plan is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date: Greenways Commission

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

BID OPENING RESULTS FOR CONSTRUCTION OF THE WILSON PARK MULTI-USE PATH AND SUPPLEMENTAL AGREEMENT FOR CHANGE IN COMPLETION DATE

The purpose of this agenda item was to request that the Board of Aldermen reject construction bids for the Wilson Park Multi-Use Path and authorize Town staff to re-bid the project, and adopt a resolution approving a supplemental agreement with the North Carolina Department of Transportation (NCDOT) for an extension of time to complete the project.

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

A RESOLUTION REJECTING BIDS RECEIVED FOR THE WILSON PARK MULTI-USE PATH PROJECT AND AUTHORIZING THE TOWN STAFF TO RE-BID THE PROJECT

Draft Resolution No. 140/2011-12

THE BOARD OF ALDERMAN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. All bids received on March 13, 2012 are rejected.

Section 2. The Town staff is directed to re-bid the Wilson Park Multi-Use Path Project.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

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

A RESOLUTION APPROVING A SUPPLEMENTAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE WILSON PARK MULTI-USE PATH
Resolution No. 139/2011-12

WHEREAS, the Town of Carrboro has received authorization from the Federal Highway Administration and North Carolina Department of Transportation (NCDOT) to construct the Wilson Park Multi-use Path (NCDOT TIP #U-4726-DC); and,

WHEREAS, the current Municipal Agreement's milestone date for completion of the project is April 30, 2012; and,

WHEREAS, more time will be needed to complete the project, due to delays associated with NCDOT guidance and the need to re-advertise the project for construction bids and subsequently Town staff requested an extension of time for completion;

WHEREAS, NCDOT has granted an extension of time to December 31, 2012 in a Supplemental Agreement;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board approves the Supplemental Agreement with NCDOT extending the completion date to December 31, 2012.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

RESOLUTION REQUESTING BOARD OF COUNTY COMMISSIONERS MAKE PRIVATE-SECTOR DEVELOPERS ELIGIBLE FOR PARTIAL REIMBURSEMENT OF SCHOOL IMPACT FEES FOR AFFORDABLE HOUSING UNITS

On January 17, 2012 Robert Dowling, on behalf of the Community Home Trust, requested the Board of Aldermen consider petitioning the Board of County Commissioners to allow developers to be eligible for a fifty percent reimbursement of school impact fees for certain

affordable homes. The Board of Aldermen directed staff to prepare a resolution responding to the request for consideration on a future consent agenda.

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

**A RESOLUTION REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS
MAKE PRIVATE SECTOR HOUSING DEVELOPERS ELIGIBLE FOR A PARTIAL
REIMBURSEMENT OF SCHOOL IMPACT FEES ASSOCIATED WITH THE
CONSTRUCTION OF NEW HOUSING UNITS FOR LOW INCOME BUYERS
Resolution No.146/2011-2012**

WHEREAS, the Community Home Trust submitted a request to the Board of Aldermen requesting the Aldermen petition the Board of County Commissioners for a reduced school impact fee for private sector developers who build affordable homes by making such developers eligible for a fifty percent reimbursement of that fee if the home is sold to a low income buyer and meets other County guidelines; and

WHEREAS, the Board of Aldermen understands that the Board of County Commissioners Impact Fee Reimbursement Policy Concerning Affordable Housing for Low Income Individuals has, since 1995, allowed for the reimbursement of school impact fees constructed by certain affordable housing agencies, subject to the availability of funds; and

WHEREAS, the Board of Aldermen supports the Community Home Trust and recognizes the important role it plays in meeting the public need for affordable housing, both directly through the construction of affordable units and in cooperation with private sector developers.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Aldermen of the Town of Carrboro that the Aldermen request that the Board of County Commissioners considers making private sector developers eligible for a partial reimbursement of school impact fees as proposed by the Community Home Trust in its January 3, 2012 letter, subject to the availability of funds.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

Ayes: Dan Coleman, Sammy Slade, Mark Chilton, Michelle Johnson, Jacquelyn Gist, Rande O'Donnell

Noes: None

Absent or Excused: Lydia Lavelle

A RESOLUTION SETTING THE BOARD OF ALDERMEN'S 2012 RETREAT

The purpose of this item was to request that the Board of Aldermen call a special meeting for the 2012 Board Retreat.

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

**A RESOLUTION SETTING A SPECIAL MEETING OF THE BOARD OF ALDERMEN
FOR THE PURPOSES OF HOLDING THE 2012 BOARD RETREAT
Resolution No. 141/2011-12**

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 2012 Board Retreat on Saturday, June 23, 2012 at 12:00 p.m. at The Stone House located at 6602 Nicks Road, Mebane, NC 27302.

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 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

UPDATE: ANNUAL ACTION PLAN FOR ORANGE COUNTY HOME CONSORTIUM

The purpose of this item was to provide for the execution of the necessary documents to allow the Town of Carrboro to continue participating in a County-wide Consortium under the federal HOME Program operated by the U.S. Department of Housing and Urban Development as authorized under the HOME Investment Partnership Act, Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990.

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

**RESOLUTION
AUTHORIZING THE SUBMISSION OF
FY 2012 – 2013 ANNUAL ACTION PLAN FOR THE**

FY 2010-2015 CONSOLIDATED HOUSING PLAN FOR ORANGE COUNTY, NORTH
CAROLINA
Resolution No. 144/2011-12

BE IT RESOLVED, by the Town of Carrboro, North Carolina that the Board of Aldermen authorizes the Orange County Commissioners and their designees to submit on the Town's behalf the Orange County Consolidated Plan for Housing and Community Development Programs Annual Action Plan to the U.S. Department of Housing and Urban Development, including all understandings, assurances, and certifications required therein.

BE IT FURTHER RESOLVED, that the Orange County Commissioners and their designees are hereby designated as the authorized representative of the Town of Carrboro to act in connection with the submission of the Annual Action Plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

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

RESOLUTION AUTHORIZING
THE ORANGE COUNTY FY 2012 - 2013 HOME PROGRAM DESIGN
Resolution No. 145/2011-12

BE IT RESOLVED, by the Town of Carrboro Board of Aldermen, as a member of the Orange County HOME Consortium, approve the following activities for the 2012 - 2013 HOME Program.

Homeownership Assistance

Funds would be allocated to the Community Home Trust to assist first time homebuyers earning less than 80 percent of the area median income to purchase homes county-wide. Funds would be provided as a grant to Community Home Trust.

(Requested amount: \$150,000) \$171,591

Funds will be allocated to Orange County Habitat for Humanity to provide deferred payment zero interest second mortgages for ten (10) homes throughout Orange County. Homes will be sold to households earning between 30 percent and 65 percent of the area median income.

(Requested amount: \$75,000) \$75,000

Operational Support

Funds would be allocated to the Community Home Trust as a Community Housing Development Organization for administrative expenses.

(Requested amount: \$20,000) \$20,000

Predevelopment and Acquisition

Funds would be provided to Orange County Habitat for Humanity for predevelopment costs and acquisition costs for a nine (9) acre tract located in Efland Cheeks Township in Orange County.

(Requested amount: \$50,000) \$71,592

Funds would be provided to EmPOWERment, Inc. for acquisition and rehab of two condo units in Abbey Court in Carrboro for lease to households earning less than 50% of area median income.

(Requested amount: \$90,000) \$90,000

New Construction

Funds would be allocated to Inter-Faith Council for Social Services towards construction of Project Community House, a men's transitional housing facility. The facility will have the capacity to serve fifty two (52) homeless men.

(Requested amount: \$75,000) \$0

Housing Rehabilitation

Funds would be allocated to the Inter-Church Council for the additional repair of two (2) low-income apartment complexes in Chapel Hill – Chase Park and Elliott Woods.

(Requested amount: \$75,000) \$37,500

Total Project Funding \$465,683

Program Administration \$38,349

TOTAL FY 2012-2013 HOME PROGRAM FUNDS \$504,032

BE IT FURTHER RESOLVED, that the County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

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

Noes: None

Absent or Excused: Lydia Lavelle

PRESENTATION OF MANAGER’S RECOMMENDED BUDGET FOR FY 2012-13

The purpose of this item was so the Board and public could receive the Town Manager’s recommended FY 2012-13 budget, set time for a public hearing, and possible budget work sessions.

David Andrews, the Town Manager, made the budget presentation to the Board.

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

**A RESOLUTION TO SET A PUBLIC HEARING ON THE RECOMMENDED BUDGET
FOR FY 2012-13
Resolution No. 143/2011-12**

WHEREAS, the Town Manager presented the FY 2012-13 Recommended Budget to the Board of Alderman on May 1, 2012; and,

WHEREAS, the Town is required by North Carolina General Statute 159-12(b) to hold a public hearing before adopting the budget ordinance;

**NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO
HEREBY RESOLVES THAT,**

The Board of Aldermen will hold a public hearing on Tuesday, May 15, 2012 at 7:30 p. m. in Town Hall Board Room to receive citizen comments on the Town of Carrboro Recommended Budget for 2012-13. The budget is available for inspection in the Town Hall from 8:30 a.m. to 5:00 p.m. weekdays. Citizens are invited to make written or oral comments. Comments may be emailed to cwilson@townofcarrboro.org. The entire budget document may be viewed in the Town Clerk’s Office or on the Town’s website at www.townofcarrboro.org .

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 1st day of May 2012:

Ayes: Dan Coleman, Sammy Slade, Mark Chilton, Michelle Johnson, Jacquelyn Gist, Rande Haven-O’Donnell

Noes: None

Absent or Excused: Lydia Lavelle

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN SLADE FOR STAFF TO LOOK INTO THE COSTS FOR TOWN SERVICES RELATED TO DEVELOPMENT APPLICATIONS AND TO MAKE SURE THAT THE TOWN IS RECOUPING ALL OF THOSE COSTS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (LAVELLE)

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN GIST FOR STAFF TO DEVELOP A PLAN TO REMOVE THE FEDERAL POVERTY LEVEL LANGUAGE AS A REFERENCE FOR THE LOCAL LIVING WAGE IN THE PERSONNEL POLICY AND TO REPLACE IT WITH THE LANGUAGE FOR A LOCAL “HOUSING WAGE” AND INCLUDE A PLAN TO BRING ALL TOWN EMPLOYEE SALARIES TO THE LEVEL OF THE HOUSING WAGE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (LAVELLE)

Alderman Slade suggested that the Town request funds from the County’s ¼ cent sales tax for use in the Town’s branding and marketing campaign and the creation of a local living economy business network.

APPOINTMENT OF CHAIR FOR THE ANIMAL CONTROL BOARD OF APPEALS

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN JOHNSON TO APPOINT WENDY WENCK AS THE CHAIR OF THE ANIMAL CONTROL BOARD OF APPEALS. VOTE: AFFIRMATIVE SIX, ABSENT ONE (LAVELLE)

OAK TREE ACROSS THE STREET FROM THE CENTURY CENTER

George Seiz, the Town’s Public Works Director, informed the Board of an Oak Tree, located across the street from the Century Center near the Town parking lot, that has extensive damage and may require removal. Staff are working to determine the extent of the damage and will try to save the tree if at all possible.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN HAVEN-O’DONNELL TO ADJOURN THE MEETING AT 8:24 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (LAVELLE)

Mayor

Town Clerk