

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 12, 2013 in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Alderman	Jacquelyn Gist
	Lydia Lavelle
	Randee Haven-O'Donnell
	Sammy Slade
	Michelle Johnson
Town Manager	David Andrews
Deputy Town Clerk	Catherine Wilson
Town Attorney	Robert Hornick

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### **CHARGE ISSUED**

The Town Clerk issued a charge to Kim Calandra, a recent appointee of the Appearance Commission.

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### **COST OF LIVING PAY INCREASE FOR TEMPORARY PART-TIME EMPLOYEES**

The purpose of this item was to have the Board consider authorizing a 3% cost of living pay increase for temporary part-time employees.

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

RESOLUTION APPROVING 3% COST OF LIVING PAY INCREASE FOR TEMPORARY PART  
TIME EMPLOYEES  
Resolution No. 96/2012-13

WHEREAS, the Town of Carrboro Board of Aldermen previously authorized a 3% cost of living pay increase for permanent full-time and part-time employees; and,

WHEREAS, temporary part-time employees were not included in this resolution;

NOW BE IT RESOLVED that the Town of Carrboro Board of Aldermen hereby authorize a 3% cost of living hourly wage increase for temporary part-time employees effective October 1, 2012.

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 12<sup>th</sup> day of February 2013.

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

Noes: None

Absent or Excused: None

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**REQUEST TO ADOPT A RESOLUTION TO AWARD A SERVICE SIDEARM TO A RETIRING POLICE OFFICER**

Police Lieutenant Delbert Powell will retire from the Town of Carrboro Police Department on March 1, 2013 after approximately 24 ½ years of service. The Police Department would like to award Lieutenant Powell his service sidearm to recognize his dedication to duty and his service to the Town of Carrboro. The Board of Aldermen was requested to adopt by resolution Town staff's recommendation to award the service side arm to Lieutenant Delbert Powell.

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

**A RESOLUTION AWARDDING A SERVICE SIDE ARM TO RETIRING POLICE OFFICER**

Resolution No. 97/2012-13

WHEREAS, Police Lieutenant Delbert Powell is retiring from the Town of Carrboro Police Department on March 1, 2013 after approximately twenty-four and one half years of service; and

WHEREAS, Lieutenant Powell has demonstrated his dedication to duty and to the citizens of the Town of Carrboro; and

WHEREAS, North Carolina General Statute 20-187.2 allows the governing body of a law enforcement agency to award to a retiring member, upon request, the service side arm of the retiring member;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen adopt this resolution awarding the service side arm to Lieutenant Delbert Powell.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12<sup>th</sup> day of February 2013.

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

Noes: None

Absent or Excused: None

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**A REQUEST TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES FOR ANIMAL CONTROL WITH ORANGE COUNTY ANIMAL SERVICES**

The purpose of this item was for the Board to consider authorizing Town staff to negotiate a contract for services for animal control in Town. A resolution requesting such authorization was provided for the Board's consideration

Police Chief Carolyn Hutchison explained that the deer contraception services are not currently planned as part of the Orange County Animal Services contract.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE A CONTRACT FOR ANIMAL CONTROL SERVICES WITH ORANGE COUNTY

Resolution No. 98/2012-13

WHEREAS, the Town of Carrboro has adopted certain animal control ordinances; and

WHEREAS, there is a need to ensure compliance with animal control ordinances for the safety and well- being of citizens and the community; and

WHEREAS, animal control enforcement is currently provided by Town police officers and administrative police personnel, resulting in a reduction of time for other public safety and law enforcement duties and responsibilities; and

WHEREAS, the Orange County Animal Services Department has indicated a desire to provide animal control services and outreach activities for the Town; and

WHEREAS, the Board of Aldermen believes a contract with the Orange County Animal Services Department may be beneficial to the Town;

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Board of Aldermen authorizes the Town Manager to negotiate and enter into a services contract with Orange County for animal control services and other activities provided that such contract maintains the current level of animal control services and provides for more improved services in the Town.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12<sup>th</sup> day of February 2013.

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

Noes: None

Absent or Excused: None

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**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE WILD FOOD AND HERB MARKET**

The purpose of this agenda item was for the Board of Aldermen to enter into an agreement with Wild Food and Herb Market and waive fees for use of the Town Commons for a period of nine months.

Alderman Haven-O'Donnell requested that the contract include language requiring the labeling of allergen foods; specifically, nuts.

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

**A RESOLUTION APPROVING AN AGREEMENT WITH THE WILD FOOD AND HERB MARKET  
Resolution No. 99/2012-13**

WHEREAS, Jenny Schnaak and Josh Lev, Co-Founders of the Wild Food and Herb Market approached the Board of Aldermen to use and waive the fees on the Town Commons; and

WHEREAS, this unique Wild Food and Herb Market will compliment and educate the community; and

WHEREAS, the Wild Food and Herb Market will operate under the guidelines set forth in the agreement; and

WHEREAS, the market will not operate nor interfere in the set up for Town events held on the first Sunday of the month when the following events are held: May (Carrboro Day), and July 4<sup>th</sup> and

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen approves the draft agreement and it shall be effective upon signatures from the Town Manager and Wild Food and Herb Market representative.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12<sup>th</sup> day of February 2013.

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

Noes: None

Absent or Excused: None

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### **REPORT ON DOWNTOWN TRAFFIC IN CARRBORO**

The Board of Aldermen was asked to receive a report on traffic circulation in the downtown area, including a preliminary analysis of level of service at intersections and updated information on traffic volumes.

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

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

#### **A RESOLUTION RECEIVING A REPORT ON DOWNTOWN TRAFFIC CONDITIONS Resolution No. 100/2012-13**

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; and,

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; and,

WHEREAS, on March 13, 2012, the Board of Aldermen received an additional report on downtown traffic, including NCDOT average annual daily traffic data and data on downtown traffic volumes associated with the Weaver Street Reconstruction project;

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

1. The Board receives the report.
2. The Board provides the following comments or guidance:

- a. That staff should meet with the staff of the Town of Chapel Hill to schedule a stakeholder conversation to discuss the Merritt Mill, Franklin, Brewer, and Main Street Intersection and include the driveway with the new hotel parking deck.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12<sup>th</sup> day of February 2013.

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

Noes: None

Absent or Excused: None

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### **REPORT ON TREE REPLACEMENT REQUIREMENTS AND OPTIONS**

The purpose of this agenda item was to provide the Board of Aldermen with a report on tree replacement requirements, with information on other types of tree replacement programs.

Christina Moon, the Town's Planning Administrator, made the presentation to the Board.

Alderman Gist suggested that staff look into increasing the penalties for illegal removal of trees.

Alderman Slade suggested looking into a tree expert to evaluate how the Town can remain the tree city that it is. He also suggested looking into trees for the shading of the roads and consulting with NCDOT on the allowed types and sizes of trees. The rules should also be applied to non-residential developments. To have a rare, or large tree inventory completed for the downtown area.

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

A RESOLUTION RECEIVING INFORMATION ON TREE REPLACEMENT  
REQUIREMENTS  
Resolution No. 101/2012-13

WHEREAS, after approving The Butler Mixed-Use Building Conditional Use Rezoning/Conditional Use Permit on August 26, 2008, the Board requested that staff look into a program for tree replacement as a result of development; and

WHEREAS, Town staff presented a report on the Town's tree replacement requirements.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the report.

1. Staff is requested to look into trees for the shading of the roads and consulting with NCDOT on the allowed types and sizes of trees.
2. Staff shall also research applying to non-residential development.
3. Staff shall supply the board with former tree inventories and studies.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12<sup>th</sup> day of February 2013.

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

Noes: None

Absent or Excused: None

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### **HISTORIC ROGERS ROAD NEIGHBORHOOD TASKFORCE**

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

#### **A RESOLUTION CONFIRMING THE CONTINUATION OF THE HISTORIC ROGERS ROAD NEIGHBORHOOD TASK FORCE RESOLUTION NO. 102/2012-13**

WHEREAS, IN RESPONSE TO A REQUEST FROM THE ORANGE COUNTY BOARD OF COMMISSIONERS, THE TOWN OF CARRBORO BOARD OF ALDERMEN TO HEREBY RESOLVE:

1. That the continuation of the Historic Rogers Road Neighborhood Task Force is confirmed.
2. The following Aldermen are appointed as members to the Task Force: Michelle Johnson and Sammy Slade
3. That the following Task Force charge and timeline for the Task Force, as specified by the OCBC motion approved at the January 24 is confirmed:
  - To continue the Task Force for six (6) months;
  - To have the Task Force consider the final costs, provision and installation of water and sewer utility extensions preferably at no cost for members of the Historic Rogers Road Community;
  - Consider options to address gentrification;
  - Consider Chapel Hill's most recent Small Area Plan;

- Consider funding options, including the Greene Tract.

4. The Task Force shall provide a report to the Board of County Commissioners no later than the Board's September 17<sup>th</sup>, 2013 meeting.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 12<sup>th</sup> day of February 2013.

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

Noes: None

Absent or Excused: None

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**CLOSED SESSION**

MOTION WAS MADE BY ALDERMAN LAVELLE AND SECONDED BY ALDERMAN JOHNSON TO ENTER INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11(a)(5). VOTE: AFFIRMATIVE ALL

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN JOHNSON AND SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 9:53 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk