



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Meeting Minutes Board of Aldermen

Tuesday, June 16, 2015

7:30 PM

Board Chambers - Room 110

Present: Mayor Lydia Lavelle, Alderman Damon Seils, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Michelle Johnson, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell

Also Present: David Andrews, Town Manager, Catherine Wilson, Town Clerk, Nick Herman, Town Attorney

CARRBORO POLICE APPRECIATION DAY

Sherri Ontjez, a Carrboro resident, stated that she would like to have a Carrboro Police Appreciation Day. Shari stated that she will plan the event and work with the Chief to coordinate schedules.

CARRBORO BICYCLE COALITION – REQUEST FOR ACTION

Charlie Hileman, a member of the Carrboro Bicycle Coalition, stated that traffic signals don't change when bikes are stopped and stated that the lights at Weaver Street needs to be calibrated. He asked if calibration does not work, that the lights should be placed on a timed loop. He stated that the Coalition is working to get bike parking and asked that businesses be required to allocate parking for Cyclists and asked the Town to require businesses to have more bike parking.

RESOLUTION OF APPRECIATION FOR GEORGE SEIZ

Mayor Lavelle read a resolution recognizing George Seiz's retirement from the Town as the Public Works Director.

APPROVAL OF PREVIOUS MEETING MINUTES

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN

HAVEN-O'DONNELL TO APPROVE THE MINUTES OF JUNE 2, 2015 AND JUNE 9, 2015, AS AMENDED. VOTE: AFFIRMATIVE ALL

SUPPLEMENTAL AGREEMENT WITH NCDOT AND AMENDED PROJECT ORDINANCE FOR BIKE LOOP DETECTORS

The purpose of this item was for the Board of Aldermen to consider approving a Supplemental Agreement to extend the completion date and increase the budget for the installation of four bicycle detectors in the downtown area.

A motion was made by Alderman Gist, seconded by Alderman Johnson, that this resolution be approved.

A RESOLUTION APPROVING A SUPPLEMENTAL AGREEMENT WITH NCDOT RELATING TO THE BIKE LOOP DETECTORS PROJECT (U-4726-DF)

WHEREAS, additional time is needed to complete construction of the Bike Loop Detectors project (U-4726-DF);

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board approves the Supplemental Agreement with NCDOT to extend the construction completion date for the Bike Loop Detectors project and authorizes the Town Manager to execute the Supplemental Agreement.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

A motion was made by Alderman Gist, seconded by Alderman Johnson, that this ordinance be approved.

**AMENDMENT TO BICYCLE LOOP DETECTORS CAPITAL IMPROVEMENT PROJECT ORDINANCE
Ordinance No. 20/2014-15**

WHEREAS, the Board of Aldermen for the Town of Carrboro adopted Capital Project Ordinance No. 14/2011-12 on November 22, 2011 for design and installation of bicycle loop detectors; and,

WHEREAS, the Board of Aldermen finds it necessary and desirable to amend this Capital Project;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1. Revenues for the Bicycle Loop Detectors Capital Improvement Project is hereby by amended as follows:

	<u>Current</u> <u>Appropriation</u>	<u>Increase</u> <u>(Decrease)</u>	<u>New</u> <u>Appropriation</u>
Federal STP-DA Funds	\$30,000.00	\$ -	\$30,000.00
Town General Fund Balance	<u>\$ 7,500.00</u>	<u>\$ 20,000.00</u>	<u>\$</u>
	<u>\$37,500.00</u>	<u>\$20,000.00</u>	<u>\$57,500.00</u>

Section 2. The following amount is appropriated for this project to be expended in the following manner:

Design, Environmental Documentation and Construction \$ 57,500.00

Section 3: Funds appropriated shall be available until all project activity is completed.

Section 4: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

REQUEST TO MAKE AN APPOINTMENT TO THE TRANSPORTATION ADVISORY BOARD

The purpose of this agenda item was for the Mayor and Board to make an appointment to the Transportation Advisory Board.

A motion was made by Alderman Gist, seconded by Alderman Johnson, that this resolution be approved.

A RESOLUTION MAKING APPOINTMENT(S) TO THE
TRANSPORTATION ADVISORY BOARD

Section 1: THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE TRANSPORTATION ADVISORY BOARD:

Seat Designation	Appointee	Term Expiration
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Section 2. This resolution shall become effective upon adoption.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

REQUEST TO MAKE AN APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD

The purpose of this agenda item was for the Mayor and Board to make an appointment to the Environmental Advisory Board.

A motion was made by Alderman Gist, seconded by Alderman Johnson, that this resolution be approved.

A RESOLUTION MAKING APPOINTMENT(S) TO THE ENVIRONMENTAL ADVISORY BOARD

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE ENVIRONMENTAL ADVISORY BOARD:

Seat Designation	Appointee	Term Expiration
Member	Rachel Cotter	2/2017

Section 2. This resolution shall become effective upon adoption.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

ADOPTION OF THE NC CULTURAL RESOURCES RECORDS RETENTION AND DISPOSITION SCHEDULE

The purpose of this item was to adopt the most current version of the NC Cultural Resources Records Retention and Disposition Schedule

A motion was made by Alderman Gist, seconded by Alderman Johnson, that this resolution be approved.

A RESOLUTION APPROVING THE NORTH CAROLINA RECORDS AND RETENTION SCHEDULE ACCORDING TO N.C. GENERAL STATUTES CHAPTERS 121 AND 132

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the Board adopts the North Carolina Records and Retention Schedule, as updated by the N.C. Department of Cultural Resources in accordance with N.C. General Statutes Chapters 121 and 132 dated September 10, 2012 with corresponding amendments for Standard 9 and Standard 12.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

HUMAN SERVICES ADVISORY COMMISSION FUNDING RECOMMENDATIONS

The purpose of this item was for the Board of Aldermen to consider approving the Human Services Advisory Commission's funding recommendations for fiscal year 2015-16.

Alderman Seils stated that he is concerned with reducing the Community Empowerment Fund.

Alderman Haven-O'Donnell asked that next year the item show how much funding is being received from other jurisdictions.

Alderman Slade asked for a brief explanation from the Human Services Chair regarding the rationale for funding recommendations next year.

Alderman Chaney suggested using funds from the Affordable Housing Funds to fund Habitat for Humanity of Orange County and Rebuilding Together of the Triangle, Inc. and to use the offset funds from the Human Services Funding to increase funding amounts of Community Empowerment Fund by \$500.00 for a total funding of \$2,000.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN JOHNSON TO APPROVE THE RESOLUTION, AS DIRECTED ABOVE:

**A RESOLUTION ACCEPTING THE RECOMMENDATIONS
FROM THE HUMAN SERVICES ADVISORY COMMISSION FOR FISCAL YEAR 2015-16
HUMAN SERVICES FUNDING**

WHEREAS, the Town of Carrboro established as a policy to support human services agencies that provide invaluable services to Carrboro citizens; and

WHEREAS, Fifty-two (52) agencies applied for funding through the established Human Services funding process; and

WHEREAS, the Human Services Advisory Commission has met with all applicants that applied for funding in the 2015-16 funding cycle; and

WHEREAS, the town staff indicated that the human services funding level for fiscal year 2015-16 is \$220,000.00, which represents a 10% increase over last year's funding of \$200,000; and

WHEREAS, the total amount of funding requests for 2015-16 was \$324,000.00.

NOW THEREFORE, THE CARRBORO MAYOR AND BOARD OF ALDERMEN RESOLVE THAT:

Section 1. Subject to approval of the FY 2015-16 Budget, \$220,000.00 will be allocated to Human Services.

Section 2. That the Human Services Advisory Commission have heard the requests from the applicants and are making a final recommendation for allocation of the available funds to agencies.

NOW THEREFORE BE IT FURTHER RESOLVED: That the Carrboro Board of Aldermen approve the recommendation for funding by the Human Services Advisory Commission with the following modifications:

- a. Funding for the Community Empowerment Fund Program is increased from \$1,500.00 to \$2,000.00.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

A REQUEST TO SET A PUBLIC HEARING ON THE TEMPORARY STREET CLOSING PERMIT APPLICATION FOR THE NOT SO NORMAL RUN FESTIVAL

The purpose of this item was to set a public hearing for a Street Closing Permit Application submitted by Hairy Pony Racing Association for the temporary closing and usage of streets from 7:00 AM to 2:00 PM on Sunday, April 3rd, 2016 to accommodate the *Not So Normal Run Festival*, which includes a half marathon race and a full marathon race.

A motion was made by Alderman Gist, seconded by Alderman Johnson, that this resolution be approved.

A RESOLUTION SETTING A PUBLIC HEARING ON TEMPORARY STREET CLOSING PERMIT TO ACCOMMODATE A HALF MARATHON AND FULL MARATHON FOR THE NOT SO NORMAL RUN FESTIVAL

Section 1. On the day of the event, public streets shall be temporarily used Sunday, April 3rd, 2016 from 7:00 AM to 2:00 PM to accommodate half marathon and full marathon races for the Not So Normal Run Festival. 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 Code. Refer to attached maps for exact locations of streets being used for the event.

Section 2. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 4. 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 5. Applicant will be responsible for all costs incurred by 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.

Section 6. The scope of this event will require staffing that exceeds what the Public Works and Police Departments can typically provide, and subsequently the coordinator will be hiring additional professional staff to help manage the event. Town staff will help coordinate the traffic control. The applicant must provide additional labor for areas of the race courses outside the Town of Carrboro jurisdiction limits, and hiring additional forces for areas in Town limits beyond what Carrboro Police and Public Works are able to staff.

Section 7. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 8. This resolution is contingent on the applicant providing proper liability insurance to the Town at least 30 days prior the event.

Section 9. This resolution shall become effective upon adoption.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

DESIGNATION OF FUND BALANCE FOR FY 2014-15 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED

The Board of Aldermen was requested to designate fund balance in the General Fund to carry over to next year for certain budget items where funds have not been spent or encumbered.

A motion was made by Alderman Gist, seconded by Alderman Johnson, that this resolution be approved.

A RESOLUTION APPROVING DESIGNATION OF FUND BALANCE FOR FY 2014-15 BUDGET ITEMS NOT YET SPENT OR ENCUMBERED

WHEREAS, the Town Manager has described to the Board the desirability of adopting a resolution to designate fund balance for certain projects:

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

Designated Fund Balance FY 2014-15	Amount
Arts Committee	\$ 13,800.00
C&D Memorabilia	\$ 518.00
Car Seat Sales - Fire Department	\$ 1,175.00

OWASA Subsidy	\$ 85,502.00
Parking Study	\$ 30,000.00
Seizure Funds - State	\$ 4,508.00
Seizure Funds Federal	\$ 95,648.00
Unexpended Narcotics Fund	\$ 492.00
Solid Waste Study	\$ 30,000.00
TOTAL	\$261,643.00

Summary of Designated Fund Balance Budget Items

Arts Committee – The Arts Committee has unexpended budget funds remaining and requests they be reserved for use in the upcoming year.

CD & Memorabilia - The CD & Memorabilia Show is held twice a year and is self-supporting. Funds remaining after expenses each year are carried over.

Car Seat Sales – The Fire Department in past years received a grant to purchase and install car seats on a sliding fee scale. Funding to continue this program comes from earned revenues and carryover of unspent budget funds from year to year.

OWASA Subsidy – The unspent portion of the OWASA sewer subsidy budget is reserved annually until spent entirely.

Parking Study – The Planning Department will be undertaking a study of parking needs in the Town that will yield a comprehensive parking plan. An RFP is in the process of being refined and should be issued by summer.

Seizure Funds – The Police Department uses these restricted revenues to supplement ongoing investigations. Unexpended funds in any given year are carried over to the next year.

Narcotics Funds - The Police Departments requests that unexpended narcotic funds for undercover investigations be carried over to the next fiscal year.

Solid Waste Pay As You Throw Study – This study will be designed as a comprehensive one rather than the initial goal of focusing on “pay as you throw”. An RFP may be developed and issued to select a firm for this study.

BE IT FURTHER RESOLVED, that upon confirmation of the actual amount for the above projects by the independent audit for the year ending June 30, 2015, the Town Manager may transfer fund balance up to the amount confirmed by the independent audit to the appropriate department(s) without further action by the Board.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O’Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

ADOPTION OF FY 2015-16 ANNUAL BUDGET

The purpose of this agenda item was for the Board of Aldermen to complete budget discussions and adopt the annual budget for fiscal year 2015-16.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN GIST TO APPROVE THE ORDINANCE BELOW:

**ANNUAL BUDGET ORDINANCE
Town of Carrboro, North Carolina
FY 2015-16
Ordinance No. 16/2014-15**

WHEREAS, the recommended budget for FY 2015-16 was submitted to the Board of Aldermen on May 5, 2015 by the Town Manager pursuant to G.S. 159-11 and filed with the Town Clerk pursuant to G.S. 159-12;

WHEREAS, on May 26, 2015, the Board of Aldermen held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 16, 2015, the Board of Aldermen adopted a budget ordinance making appropriations and levying taxes in such sums as the Board of Aldermen considers sufficient and proper in accordance with G.S. 159-13;

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO, NORTH CAROLINA:

Section 1. The following amounts are hereby appropriated for the operation of the Town of Carrboro and its activities for the fiscal year beginning July 1, 2015 and ending June 30, 2016, according to the following schedules.

SCHEDULE A - GENERAL FUND

GENERAL GOVERNMENT		\$ 4,432,862
Mayor & Board of Alderman	\$ 282,660	
Advisory Boards	\$ 17,050	
Governance Support	\$ 554,856	
Town Manager	\$ 359,005	
Economic & Community Development	\$ 207,455	
Town Clerk	\$ 130,016	
Finance	\$ 1,080,497	
Human Resources	\$ 544,594	
Information Technology	\$ 1,256,729	
PUBLIC SAFETY		\$ 6,442,063
Police	\$ 3,710,188	
Fire	\$ 2,731,875	

PLANNING	\$ 1,350,247
TRANSPORTATION	\$ 1,540,288
PUBLIC WORKS	\$ 4,172,185
PARKS & RECREATION	\$ 1,638,233
NONDEPARTMENTAL	\$ 827,009
DEBT SERVICE	\$ 1,169,760
TOTAL GENERAL FUND	\$ 21,572,647

SCHEDULE B – CAPITAL RESERVE FUND

Transfer to General Fund \$ 176,945

Section 2. It is estimated that revenues from the following major sources will be available during the fiscal year beginning July 1, 2015 and ending June 30, 2016 to meet the foregoing schedules:

SCHEDULE A - GENERAL FUND

Ad Valorem Tax	\$ 12,315,470
Local Sales Taxes	\$ 3,825,686
Other Taxes & Licenses	\$ 879,378
Unrestricted Intergovernmental	\$ 875,593
Restricted Intergovernmental	\$ 611,751
Fees & Permits	\$ 1,233,402
Sales & Services	\$ 263,790
Investment Earnings	\$ 1,078
Other Revenue	\$ 143,459
Other Financing	\$ 1,423,041
TOTAL GENERAL FUND	\$ 21,572,647

SCHEDULE B – CAPITAL RESERVE FUND

Fund Balance Appropriated \$176,945

Section 3. Pursuant to GS 159-13.2, the Board of Aldermen may authorize and budget for capital projects and multi-year special revenue funds in its annual budget or project ordinance. The project ordinance authorizes all appropriations necessary for the completion of the projects.

Section 4. Charges for services and fees by Town Departments are levied in the amounts set forth in the Miscellaneous Fees and Charges Schedule.

Section 5. The following authorities shall apply:

- a. The Town Manager can transfer funds between departments and functions within the General Fund for pay adjustments; service level benefits; law enforcement separation allowance; unemployment insurance; retiree, dependent, and permanent part-time health benefits; and, other purposes deemed necessary by the Town Manager without further action by the Board.
- b. The Town Manager can transfer funds within functions.

- c. When unassigned fund balance exceeds 35% in the General Fund, the Town Manager, in accordance with the Town fiscal policy, may set aside an amount in assigned fund balance for transfer to the capital projects fund for future projects.
- d. All operating funds encumbered or designated within fund balance for project expenditures as confirmed in the annual June 30, 2015 audit shall be re-appropriated to Fiscal Year 2015-16 Adopted Budget without further action by the Board.
- e. The Finance Officer may approve intradepartmental transfer requests between appropriation units and between programs or organizational units within the departmental budget.
- f. Transfers between Funds may be authorized only by the Board of Aldermen.
- g. The Orange County Tax Collector, is authorized, empowered, and commanded to collect the 2015 taxes set forth in the tax records filed in the office of the Orange County Tax Assessor, and in the tax receipts herewith delivered to the Tax Collector, in the amounts and from the taxpayers likewise set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Orange. This section of the ordinance shall be a full and sufficient authority to direct, require, and enable the Orange County Tax Collector to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.
- h. Under GS143-64.32, architectural, engineering, and surveying services with fees less than thirty thousand dollars (\$30,000) may be exempt from the RFQ (Request for Qualification) process.

Section 6. There is hereby levied the following rates of tax on each one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2015 for the purpose of raising the revenue constituting the general property taxes as set forth in the foregoing estimates of revenue and in order to finance the foregoing appropriations.

General Fund\$.5894

Section 7. In accordance with G.S. 159-13, a copy of this ordinance shall be filed with the Town Manager, the Finance Officer, and the Town Clerk.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN GIST TO APPROVE THE RESOLUTION BELOW:

RESOLUTION ADOPTING CHANGES TO TOWN OF CARRBORO POSITION CLASSIFICATION AND PAY PLAN

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

WHEREAS, the Town Manager has submitted a budget for FY 2015-16 with proposed changes to the Position Classification and Pay Plan;

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

Section 1. The Position Classification and Pay Plan is hereby modified as follows:

- a. One FTE Planner/Zoning Development Specialist position, Salary Grade 12, in Planning Department is eliminated.
- b. The position of GIS Technician in Planning is created as a permanent part-time position at .5 FTE at Salary Grade 10.
- c. The position of Program Support Assistant II in the Finance Department, Salary Grade 4, is increased from .5 to 1.0 FTE;
- d. The position of Staff Accountant, Salary Grade 15, is reclassified to Accounting Manager, Salary Grade 15.
- e. The position of Program Support Assistant II in Recreation and Parks, Salary Grade 4, is increased from .5 to 1.0 FTE.

Section 2. Merit Pay will not be provided to Town employees in FY 2015-16.

Section 3. All other provisions of the Position Classification and Pay Plan remain unchanged.

Section 4. The Human Resources Director shall revise the Position Classification and Pay Plan to reflect the changes in Section 1 through Section 3.

Section 5. This resolution shall become effective July 1, 2015.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN SEILS TO APPROVE THE RESOLUTION BELOW:

**RESOLUTION APPROVING COST OF LIVING AND HOUSING WAGE SALARY
ADJUSTMENT**

BE IT RESOLVED that the Town of Carrboro Board of Aldermen hereby approves the following as a part of the Annual Budget for FY 2015-16:

Section 1. All Town permanent full-time, permanent part-time employees, appointed employees and elected officials shall receive a cost-of-living salary increase of 2.0% effective July 1, 2015.

Section 2. Salary for three Groundskeepers I positions and one Program Support Assistant I position shall be adjusted to equal the annual Housing Wage of \$31,158 effective July 1, 2015.

Section 3. This resolution shall become effective July 1, 2015.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE RESOLUTION BELOW:

REIMBURSEMENT RESOLUTION FOR EQUIPMENT AND VEHICLES

WHEREAS, the Town Manager, 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 FY 2015-16 include the following:

Department	Vehicle	Cost
Police	Patrol Vehicle Replacements - 5 @ \$46,842	\$ 234,210
Public Works	Streets-New Holland Tractor Boom Mower	\$ 109,200
Public Works	Streets-Sweeper Truck	\$ 240,000
Public Works	Ventrac Tractor Edger/72" Mower	\$ 37,770
	TOTAL	\$ 621,180

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.

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 \$621,180.

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.

Section 5. This resolution shall become effective upon adoption.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO APPROVE THE RESOLUTION BELOW:

A RESOLUTION APPROVING CONTRACT FOR TOWN ATTORNEY

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 2015-16 effective July 1, 2015.

Section 2: This resolution shall become effective upon adoption.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O’Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO APPROVE THE RESOLUTION BELOW:

RESOLUTION AUTHORIZING TRANSFER FROM GENERAL FUND AND APPROPRIATION OF FUND BALANCE TO AFFORDABLE HOUSING SPECIAL REVENUE FUND

WHEREAS, the Board of Aldermen through the adoption of policies and ordinances seek to endorse and encourage the creation of affordable housing within the Town and its planning jurisdiction; and,

WHEREAS, on June 27, 2007 the Board of Aldermen adopted Resolution No. 15/2008-09 that established the Affordable Housing Special Revenue Fund; and,

WHEREAS, the Board of Aldermen on March 3, 2015 updated “Guidelines for the Affordable Housing Special Revenue Fund”; and,

WHEREAS, the Board of Aldermen wants to ensure that sufficient financial resources are available to support efforts to create and maintain affordable housing within the Town and its planning jurisdiction;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1: Funds appropriated in the General Fund budget for FY 2015-16 for the following Governance Support programs are to be transferred from the General Fund to the Affordable Housing Special Revenue Fund:

	\$
Home Consortium Match	10,525
Partnership to End Homelessness	16,068
Orange County Housing/Community Home Trust	64,000
Human Services Grants:	
Community Empowerment Fund	1,500
EmPOWERment Inc.	9,500
Habitat for Humanity of Orange County	2,000
Housing for New Hope	3,500
IFC	10,000
Rebuilding Together of the Triangle, Inc.	6,600

Total \$123,693

Section 2: Funds in the amount of \$200,000 are appropriated from the fund balance in the General Fund to the Affordable Housing Special Revenue Fund.

Section 3: Within five (5) days after this resolution is adopted, the Town Clerk shall file a copy of this resolution with the Finance Director.

Section 4. This resolution shall be effective July 1, 2015.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE RESOLUTION BELOW:

A RESOLUTION APPROVING MISCELLANEOUS FEES AND CHARGES SCHEDULE

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 2015-16 effective July 1, 2015.

Section 2: This resolution shall become effective upon adoption.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN GIST TO APPROVE THE ORDINANCE BELOW:

DESIGN OF TOWN COMMONS CAPITAL PROJECT ORDINANCE, FY 2015-16

Ordinance No. 17/2014-15

WHEREAS, the Town of Carrboro, has completed a study of the Town Commons area and identified improvements for a more efficient operations; and,

WHEREAS, the Farmers Market has committed to sharing in the costs of capital improvement to the Town Commons; and,

WHEREAS, the Town of Carrboro desires to carryout capital improvements to the Town Commons;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1: Design of Town Commons capital improvements is hereby authorized to be undertaken until all project activity is completed.

Section 2: The following revenues are anticipated to be available to the Town of Carrboro to complete the project:

Farmers Market	\$	20,000.00
Town Fund Balance Appropriation	\$	<u>87,300.00</u>
Total	\$	107,300.00

Section 3: The following amount is appropriated for this project to be expended in the following manner:

Design	<u>\$107,300.00</u>
Total Appropriation	\$107,300.00

Section 4: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN CHANEY TO APPROVE THE ORDINANCE BELOW:

CAPITAL PROJECT ORDINANCE AUTHORIZING THE USE OF FUND BALANCE FOR DESIGNATED CAPITAL PROJECTS

Ordinance No. 18/2014-15

WHEREAS, the Board of Aldermen for the Town of Carrboro has adopted a Fund Balance Policy; and,

WHEREAS, the adopted Fund Balance Policy provides that when the unassigned fund balance exceeds 35% the Town Manager may set aside an amount in assigned fund balance for transfer to the Capital Projects Fund for future projects; and,

WHEREAS, the adopted Fund Balance Policy requires formal action by the Board of Aldermen to commit the use of fund balance for projects or purposes in any current year or future year's budget; and,

WHEREAS, the Town's annual audit at June 30, 2014 confirmed that the fund balance exceeds 35% and the amount above 35% may be committed for capital projects;

NOW THEREFORE, BE IT ORDAINED THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1: The following projects are authorized to be undertaken until all project activity is completed:

A.ANDERSON PARK PAVILION & FENCE	\$	156,880
B.CENTURY CENTER HVAC		180,000

C.FIRE AND POLICE RADIO UPGRADE	273,000
D.MLK PARK DESIGN	150,000
E.POLICE BODY WORN CAMERAS	91,000
F.PERMITTING SOFTWARE FOR PLANNING	230,000
G.ROGERS ROAD CONDUIT	155,000
TOTAL APPROPRIATION	<u>\$ 1,235,880</u>

Section 2: Funds are appropriated from fund balance in the General Fund for transfer to the Capital Projects Fund for design, engineering, construction expenses and/or debt service to carry out the projects identified in Section 1.

Section 3: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

Section 4: This capital project ordinance shall be effective July 1, 2015.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE ORDINANCE BELOW:

AMENDMENT TO MORGAN CREEK GREENWAY CAPITAL PROJECT ORDINANCE
Ordinance No. 19/2014-15

WHEREAS, the Board of Aldermen on June 21, 2011 adopted the Morgan Creek Greenway Capital Improvement Project Ordinance No. 22/2010-11; and,

WHEREAS, the Town of Carrboro, has received additional federal funding through the North Carolina Department of Transportation (NCDOT) under the Federal TAPP Program for construction of the Morgan Creek Greenway; and,

WHEREAS, the Town has executed a Municipal Agreement with NCDOT to administer federal funding to design and construct the Morgan Creek Greenway;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1: Revenues for the Morgan Creek Greenway Capital Improvement Project No. 22/2010-11 is hereby amended as follows:

	<u>Current</u> <u>Appropriation</u>	<u>Increase</u> <u>(Decrease)</u>	<u>New</u> <u>Appropriation</u>
Federal Funds	\$ 480,000.00	\$ 730,000.00	\$ 1,210,000.00
Bond Funds	<u>\$ 120,000.00</u>	<u>\$ 182,500.00</u>	<u>\$ 302,500.00</u>
Total	<u>\$ 600,000.00</u>	<u>\$ 912,500.00</u>	<u>\$ 1,512,500.00</u>

Section 2: The following amount is appropriated for this project and to be expended for the following:

Design and Engineering	\$350,000.00
Construction	<u>\$1,162,500.00</u>
Total Appropriation	\$1,512,500.00

Section 3: Funds appropriated shall be available until all project activity is completed.

Section 4: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

A RESOLUTION MAKING AN APPOINTMENT TO THE OWASA BOARD OF DIRECTORS

The Mayor and Board of Aldermen considered two candidates to make an appointment to one of the Town's seats on the OWASA Board of Directors.

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.

A RESOLUTION MAKING AN APPOINTMENT TO THE ORANGE WATER AND SEWER
AUTHORITY BOARD OF DIRECTORS

WHEREAS, The Town of Carrboro has two seats on the Orange Water and Sewer Authority Board of Directors; and,

WHEREAS, there is a vacancy in one of those seats; and,

WHEREAS, the Town Clerk has advertised for this position and received applications from:

- 1) Barbara Foushee
- 2) Robert Morgan

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

Section 1: Robert Morgan is hereby appointed as the Town's representative on the OWASA Board of Directors for a term to expire on June 30, 2018.

Section 2: A copy of this resolution shall be forwarded to OWASA.

Section 3. This resolution shall become effective upon adoption.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

DIRECTIONS TO STAFF REGARDING A REQUEST TO AMEND THE LAND USE ORDINANCE TO ALLOW COMMUNITY KITCHENS AS A PERMISSIBLE USE IN CERTAIN BUSINESS DISTRICTS IN THE DOWNTOWN.

The purpose of this item was for the Board to determine whether to direct staff to prepare an ordinance in response to a request to amend the Land Use Ordinance to establish a new community kitchen use classification as a permissible use in the certain business districts.

Tina Moon, the Town's Planning Administrator, made the staff report.

John Dorward, director of Inter-Faith Council for Social Service (IFC), stated that he is looking to move the community kitchen from Chapel Hill to Carrboro into the Douglass Building.

Alderman Gist expressed support for Option 2 because of the possibility that homeless that are turned away from the Homestead Road location may stay near the current IFC location on Main Street and asked IFC for additional information.

Alderman Chaney requested information regarding the use of the Club Nova kitchen and asked if there was actually a need for changes. Marty Roupe, the Town's Zoning Administrator, discussed the different uses associated between Club Nova and the requested IFC kitchen. Alderman Chaney asked for further information on why there is a need for the creation of a new use.

Alderman Slade stated that he would be excited to have this service in Carrboro. He asked if the current ordinance prevents operations like the Cookery a community commercial kitchen in Carrboro.

Alderman Seils stated that he would support Option 1 and begin the process. He stated that it is inappropriate to make this conversation about IFC and asked for it to be avoided.

Alderman Haven-O'Donnell stated that she is interested in hearing more information from IFC regarding the proposed use and needs across the community prior to beginning.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST, TO SEEK ADDITIONAL INFORMATION FROM THE IFC, CHAPEL HILL, AND CARRBORO BUSINESS ALLIANCE, REGARDING THE PROPOSED USE AND ITS POTENTIAL EFFECT ON SURROUNDING PROPERTIES. VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE. MOTION FAILED.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SLADE TO PREPARE A DRAFT ORDINANCE AS OUTLINED IN THE REQUEST WHILE SEEKING ADDITIONAL INFORMATION REGARDING THE PROPOSED POTENTIAL EFFECTS

AND TO BRING THE ITEM TO A FUTURE MEETING. VOTE: AFFIRMATIVE SIX, NOES ONE (HAVEN-O'DONNELL)

CONSIDERATION OF ENO-HAW REGIONAL HAZARD MITIGATION PLAN

The purpose of this agenda item was for the Board of Aldermen to consider adoption of the community’s newly updated hazard mitigation plan. Adoption of a plan on a five-year update cycle is required in order for the Town to maintain its eligibility for hazard mitigation grant funds.

Trish McGuire, the Town's Planning Director, provided the staff presentation.

Alderman Slade asked for information on why hurricanes are considered negligible threats and asked why information wasn’t included on the financial impact of previous hurricanes in Orange County. He encouraged staff to begin the flood management plan with the use of the ongoing conversations with this plan. He suggested that the plan mention why climate change isn't included in more of the plan. He asked that the Public Works Department be included in the flood plain listing.

Alderman Haven-O'Donnell asked for information on wildfire plans in the Duke Forest and Carolina North. Interim Fire Chief Rusty Styons explained the mutual planning effort regarding wildfire plans. She asked that the Town's energy efficiency measures be shown as mitigation and in a proactive way.

Alderman Slade stated that he will work on language to add to the Hazard Mitigation and provide a resolution at the next meeting of the Board.

This item was postponed until June 23, 2015.

MINOR MODIFICATION TO CAROLINA CAR WASH CUP

The purpose of this item was to allow the Board of Aldermen to consider a request for a Minor Modification to the existing Carolina Car Wash CUP to add a detail bay garage door to the northern elevation while making upgrades to the remaining elevations.

Jeff Kleaveland, the Town's Zoning and Development Specialist, made the presentation.

Alderman Slade asked for the applicant to explore alternatives to tearing down the trees.

A motion was made by Alderman Gist, seconded by Alderman Chaney, that this resolution be approved.

A RESOLUTION APPROVING A MINOR MODIFICATION TO THE CAROLINA CARWASH CONDITIONAL USE PERMIT PROJECT AT 426 E. MAIN STREET ALLOWING FOR CHANGES TO THE SITE PLAN AND BUILDING ELEVATIONS

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for the Carolina Carwash Conditional Use Permit in 1999, which was further modified in 2009; and

WHEREAS, the Town of Carrboro wishes to support business and commercial uses in the downtown; and

WHEREAS, Town Staff has determined that this request constitutes a Minor Modification to the Conditional Use Permit; and

WHEREAS, the applicant has met the criteria in the Town's Land Use Ordinance related to Minor Modifications.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Minor Modification to the Carolina Carwash Conditional Use Permit authorizing the revisions to the site plan and building elevations be approved subject to the following stipulations:

That the following additional CUP conditions are hereby added:

1. That based upon the property owners written request for flexibility in administration of the parking provisions of the LUO, the applicant be allowed to deviate from the 44 space presumptive parking standard by providing 11 parking spaces on-site and 14 satellite spaces located on the owner's other property located about 400' away at 109 Merritt Mill Rd.
2. That prior to building permit approval, the proposed site plan for this CUP Modification be revised to remove the NCDOT satellite parking spaces from parking count.
3. That signage on the building be provided directing users to the location of the bicycle parking.
4. That, based upon materials presented by the applicant at the meeting and their own request, the LUO nonconformities pertaining to sidewalk width, screening, and tree shading be allowed to remain.
5. That the applicant obtain permission from the adjacent property owner for any off-site tree removal made necessary by the installation of the retaining wall.
6. That flexibility be allowed in the layout and design of the solid waste facilities in order to protect the 48" oak tree in the southeast corner of the property. Such flexibility could include but not be limited to removal of the slab requirement in the solid waste/recycling area and/or separating the dumpster and recycling facility locations. Such arrangements would be subject to approval by Orange County Solid Waste and The Town Public Works Department.
7. That prior to building permit approval, the proposed site plan for this CUP Modification be revised to reflect the flexibility granted in the solid waste and recycling facilities on this site in order to protect the existing 48" oak in the southeast corner of the site.

This the 16th day of June, 2015.

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

CLOSED SESSION PURSUANT TO AN ECONOMIC DEVELOPMENT MATTER AND A MATTER OF ATTORNEY CLIENT PRIVILEGE

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO ENTER INTO CLOSED SESSION FOR ECONOMIC DEVELOPMENT MATTER AND A MATTER OF ATTORNEY-CLIENT PRIVILEGE. VOTE: AFFIRMATIVE ALL

OPEN SESSION

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING RELATED TO PARKING REQUIREMENTS RELATED TO OUTDOOR SEATING

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO SCHEDULE A PUBLIC HEARING FOR JUNE 23, 2015 TO REVIEW A DRAFT ORDINANCE RELATED TO A CHANGE IN PARKING REQUIREMENTS FOR OUTDOOR SEATING. VOTE: AFFIRMATIVE ALL

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL