



## Legislation Details (With Text)

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<b>Title:</b>	Street Assessment Policy Review for Unpaved Roads PURPOSE: The purpose of this agenda item is to seek Board input regarding the current Street Assessment Policy (Revised as of June 2009), discuss existing gravel roads, public benefit of improvements on unpaved roadways, and seek direction from the Board of Alderman regarding needed improvements.				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Attachment A - Town of Carrboro Street Assessment Policy - 2009, 2. Attachment B - The Charter of the Town of Carrboro - Article 5. Special Assessments, 3. Attachment C - North Carolina General Statutes, Section 160A-217, 4. Attachment D - Estimated Projected Costs to Improve Gravel Roads in Town of Carrboro				

Date	Ver.	Action By	Action	Result
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### TITLE:

Street Assessment Policy Review for Unpaved Roads

**PURPOSE:** The purpose of this agenda item is to seek Board input regarding the current Street Assessment Policy (Revised as of June 2009), discuss existing gravel roads, public benefit of improvements on unpaved roadways, and seek direction from the Board of Alderman regarding needed improvements.

**DEPARTMENT:** Public Works

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### INFORMATION:

#### Streets Assessment Policy (Revised as of June 2009):

The Town's current Street Assessment Policy (Revised as of June 2009), provides procedures for street and sidewalk special assessments with or without a petition from property owners. See Attachment A - Street Assessment Policy (Revised as of June 2009). Staff is seeking clarification and review on the following:

1. Does the Board want to continue to utilize the 50% assessment policy and what specific improvements does the assessment include (paving, curb and gutter, and/or sidewalk)?
2. Does the Town want to include language in the policy that would allow for improvements based on public benefit?

In 2006, Lisa Drive and Quail Roost Drive were paved following the Town's Streets Assessment Policy. In that case, the neighbors adjoining these streets submitted a petition to the Town, and the Board of Aldermen

met and approved the petition. Once funds were determined to be available, a resolution was declared to move forward with the project. The project was partially funded by special assessment, where the residents paid for half of the project cost to pave. There was sidewalk, curb, and storm drain constructed on the project. The homeowners did not pay for this portion. The assessment to pave Lisa Drive was approximately \$22 per frontage of property foot and the assessment to pave Quail Roost Drive was approximately \$15 per frontage of property foot.

### **The Charter of the Town of Carrboro:**

According to the Attorney Robert Hornik, The Brough Law Firm, PLLC,

“Section 5-1 in particular, and the General Statutes, section 160A-217 in particular. The charter section creates very limited exceptions to the otherwise applicable statutory requirement for making a special assessment to share the cost of a street or sidewalk improvement project among residential properties benefited by the project. Typically, property owners who want the Town to undertake a street or sidewalk project the cost of which would be shared among the Town and the property owners, must file a petition with the Town to start the process. The Charter creates 2 exception to the “petition” requirement (i.e., in those 2 limited circumstances the Town can commence the process on its own without a petition; there is a third situation described in the Charter section but it is similar to the language of 160A-217(a) requiring a petition meeting certain standards). The 2 exceptions are (1) to improve/pave unpaved streets which connect 2 paved streets, and (2) to improve/pave unpaved sections of streets parts of which as already paved.

Even in the case of the 2 exceptions, the Town would have to follow the rest of the statutory special assessment process - including publication of notice of the preliminary assessment, public hearing, and [preparation of a final assessment roll. And, the statutory “maximum” cost share for property owners of 50% remains (i.e., the Town’s share of the cost must always be at least 50%).”

See Attachment B - The Charter of the Town of Carrboro - Article 5. Special Assessments.

See Attachment C - North Carolina General Statutes, Section 160A-217.

### **Existing Gravel Roadways:**

The Town currently maintains (eighteen)18 gravel roads ranging in centerline length from 97 feet to 1,068 feet and width from 15 feet to 24 feet. Five (5) of the gravel roads are classified as minor streets and thirteen (13) are classified as local streets.

Existing gravel roads are currently maintained by the Public Works Department taking a motor grader or backhoe, dump truck, and roller to regrade the road and fill ruts and potholes. This also includes adding new stone to the road base for smoothing out the riding surface, and road build-up. Annual maintenance is estimated at \$50,000 per year, and includes labor, equipment, and materials needed.

Additional maintenance due to the topography of the road, such as the road’s grade, or inclement weather may increase estimated annual costs. For example, Roberts Road has a grade of 10% which poses issues for

waste collection and fire vehicles; and excessive rainfall causes water quality concerns, runoff, and clogging of stormwater conveyance measures requiring Public Works staff to clear storm water pipes, inlets, and manholes. In addition, stone and mud covers the entrance to the road and Merritt Mill Road.

### **Estimated Costs Paving of Gravel Roads:**

Public Works staff compiled a spreadsheet to show the costs involved for paving the gravel roads in Carrboro. See Attachment D - Estimated Projected Costs to Improve Gravel Roads in Town of Carrboro. Prices in the spreadsheet reflect costs for paving these roads with and without curb, sidewalk (on one side of the road), and storm water improvements. Some situations allow for paving only while others require more extensive improvements.

Minor classified streets would be paved to 18' width, and local classified streets would be paved to 20' width (streets noted on attached table). Some streets are currently narrower than the proposed width, so added costs for road widening (fill soil/stone) are associated with the estimate. Where applicable, streets would be widened to current standards, and stone would be added and prepped to achieve a proper road base. Once this work is done, the road would be ready for asphalt. For streets with curb and gutter, the road again would be widened where necessary. Storm drain pipe would be added, since curb and gutter requires filling of the existing drainage ditches. When storm drain and curbing is installed, the road would be ready for stone base prep and paving, followed by sidewalk installation.

**FISCAL & STAFF IMPACT:** Staff time involved in neighborhood outreach and developing RFP plus design and consultation fees. Oversight of proposed improvements during construction.

**RECOMMENDATION:** Staff recommends the Board of Alderman consider Town's policy on paving gravel roadways and direct staff accordingly.