



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, May 5, 2015

7:30 PM

Board Chambers - Room 110

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

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

ELLEN PERRY – 25TH ANNIVERSARY OF AMERICANS WITH DISABILITY ACT

Ellen Perry, spoke to the Board about the 25th Anniversary of the ADA. The act was signed in 1990. To help spread the word, she asked for people to make “birthday” cakes for the anniversary and post pictures of the cakes on social media. Mayor Lavelle asked for her to send information about how the Board can get involved.

CHARGE(S) ISSUED TO RECENTLY APPOINTED ADVISORY BOARD MEMBER(S)

The Town Clerk issued a charge to Katherine Rosier, a recent appointee of the Recreation and Parks Commission.

APPROVAL OF PREVIOUS MEETING MINUTES

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF APRIL 21, 2015, AS AMENDED. VOTE: AFFIRMATIVE ALL

REQUEST TO MAKE AN APPOINTMENT TO THE RECREATION AND PARKS COMMISSION

The purpose of this agenda item was for the Mayor and Board to make an appointment to the Recreation and Parks Commission.

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

**A RESOLUTION MAKING APPOINTMENT(S) TO THE
RECREATION AND PARKS COMMISSION**

Section 1: THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE RECREATION AND PARKS COMMISSION:

Seat Designation	Appointee	Term Expiration
In-Town	William Thompson	2/2016

Section 2. This resolution shall become effective upon adoption.

This 5th day of May, 2015.

The motion carried by the following vote:

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

HOME PROGRAM REVIEW COMMITTEE FUNDING DESIGN

The purpose of this item was for the Board to review the HOME Program Review Committee's Funding Design for FY 2015-16.

A motion was made by Alderman Slade, seconded by Alderman Seils, that this resolution be approved.

RESOLUTION AUTHORIZING THE ORANGE COUNTY FY 2015 - 2016 HOME PROGRAM REVIEW COMMITTEE FUNDING RECOMMENDATION

BE IT RESOLVED, by the Carrboro Board of Aldermen as a member of the Orange County HOME Consortium approves the following activities for the 2015 - 2016 HOME Program.

Name of Applicant	Activity	Amount Requested	HOME Review Committee Recommended Funding
DHIC	New Construction Legion Road, Chapel Hill	300,000	\$154,500

EmPOWERment	Northside Rental Acquisition 338 McMasters St. Chapel Hill, NC	30,000	\$30,000
EmPOWERment	Acquisition 507 Terrell Road Hillsborough, NC	46,500	\$46,500
Habitat for Humanity	Second Mortgage Assistance	270,000	\$100,455
Housing for New Hope	Tenant Based Rental Assistance	50,000	\$50,000
Orange County	Administration	31,183	\$31,183
	TOTAL	\$764,683	\$412,638

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

This 5th day of May, 2015.

The motion carried by the following vote:

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

ORANGE COUNTY FIVE-YEAR CONSOLIDATED PLAN

The purpose of this item was for the Board to consider approving the submission of the proposed Orange County Five-Year Consolidated Plan to the U.S. Department of Housing and Urban Development.

A motion was made by Alderman Slade, seconded by Alderman Seils, that this resolution be approved as amended.

A RESOLUTION APPROVING THE SUBMISSION OF THE 2015-2019 CONSOLIDATED PLAN FOR ORANGE COUNTY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (2015-05-05)

WHEREAS, A Five-Year Consolidated Plan for Housing and Community Development Programs in Orange County is required by the U.S. Department of Housing and Urban Development in order for Orange County to receive HOME funds through the Orange County Home Consortium, and

WHEREAS, the Town of Carrboro is a member is the Orange County Home Consortium, and

WHEREAS, it is necessary to have approval of the Consolidated Plan from all four member jurisdictions of the Orange County Home Consortium before the document is submitted to the Department of Housing and Urban Development on May 15, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Board of Aldermen approves the submittal of the 2015-2019 Consolidated Plan to the U.S. Department of Housing and Urban Development, including all understandings, assurances, and certifications required therein, for federal HOME Program funds by May 15, 2015.

This 5th day of May, 2015.

The motion carried by the following vote:

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

REQUEST TO APPROVE A SUPPLEMENTAL AGREEMENT WITH NCDOT RELATING TO THE BIKE LOOP DETECTORS PROJECT

This item was continued to a future meeting.

RESOLUTION WITH INTENTION TO ACCEPT OFFER OF PURCHASE OF 110 EAST MAIN STREET CONDOMINIUM SUITE 200

The purpose of this item was to accept an offer to purchase town owned property located at 110 East Main Street and to direct the Clerk to advertise for upset bid offers.

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

RESOLUTION OF TOWN OF CARRBORO BOARD OF ALDERMEN WITH INTENTION TO ACCEPT OFFER OF PURCHASE OF 110 EAST MAIN STREET CONDOMINIUM UNIT

WHEREAS, the Town of Carrboro is the owner of certain real property known as the 110 East Main Street, Unit 200, (Orange County PIN No. 9778869017.002; the "Property"); and

WHEREAS, on April 30, 2015, the Town of Carrboro received an offer from New Media Campaign Corporation to purchase the Property for a purchase price of \$548,825.00; and

WHEREAS, the proposed transaction is subject to the negotiated offer, advertisement and upset bid requirements of Article 12 of Chapter 160A of the North Carolina General Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Town of Carrboro Board of Aldermen this the 5TH day of May, 2015 as follows:

1. The Town of Carrboro Board of Aldermen proposes to accept New Media Campaign Corporation's bid to purchase the Property for the purchase price of \$548,825.00;

2.The Town Clerk shall, upon receipt from the Purchaser of a deposit equal to five percent (5%) of the purchase offer amount, publish the notice required by North Carolina General Statutes Section 160A-269 with respect to the offer;

3.The Town shall thereupon proceed with the upset bid process established by North Carolina General Statutes Section 160A-269 until no further qualifying upset bids are received, at which time the Town Board of Aldermen may accept the offer and sell the property to the highest bidder.

WHEREFORE, the foregoing Resolution was put to a vote of the Town of Carrboro Board of Aldermen on this 5TH day of May, 2015, the result of which vote was as follows:

The motion carried by the following vote:

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

PRESENTATION OF MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2015-16

The purpose of this agenda item was to receive the Town Manager's Recommended FY 2015-16 Budget and set the time for a public hearing and budget work sessions.

David Andrews, the Town Manager, presented the FY 15-16 proposed budget to the Board.

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

A RESOLUTION TO SET PUBLIC HEARING ON THE MANAGER'S RECOMMENDED BUDGET FOR FY 2015-16

WHEREAS, the Town Manager presented the FY 2015-16 Recommended Budget to the Board of Alderman on May 5, 2015; 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 26, 2015 at 7:30 p. m. in Town Hall Board Room to receive citizen comments on the Town of Carrboro Recommended Budget for 2015-16. 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 Hall from 8:30 a.m. to 5:00 p.m. weekdays or on the Town website at www.townofcarrboro.org.

This 5th day of May, 2015.

The motion carried by the following vote:

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

REPORT ON THE DURHAM-ORANGE LIGHT RAIL TRANSIT PROJECT (D-O LRT)

The purpose of this item was for the Board of Aldermen to receive an update on the project and provide input on five alternatives related to the project

Patrick McDonough, Planning Director with GoTriangle, presented the information to the Board.

Alderman Seils asked for staff to schedule an agenda item for the Board to discuss submitting written comments to GoTriangle during the early portion of September.

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

A RESOLUTION RECEIVING A REPORT ON THE DURHAM-ORANGE LIGHT RAIL TRANSIT (D-O LRT) PROJECT

AND COMMENTING ON FIVE KEY DECISIONS

WHEREAS, the Town has had a longstanding interest in transportation options for citizens; and

WHEREAS, the D-O LRT project would provide light rail access from UNC Chapel Hill to east Durham and many educational, medical, and employment centers along the way and

WHEREAS, GoTriangle staff are reporting on the project's status and next steps and in so doing, are seeking input on five key decisions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro accepts the report.

This 5th day of May, 2015.

The motion carried by the following vote:

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

CONTINUATION OF PUBLIC HEARING ON THE CONDITIONAL USE DISTRICT REZONING AND CONDITIONAL USE PERMIT FOR 501 SOUTH GREENSBORO STREET

Continuation of the public hearing on applications for an M-3-conditional use rezoning (M-3-CU) and a conditional use permit (CUP) to allow for the construction of a three- to four- building commercial development on property located at 501 South Greensboro Street, also known the former Rogers-Triem site.

All speakers listed below were sworn in by the Town Clerk

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

Jeff Kleaveland, the Town's Zoning and Planning Development Specialist, answered questions from the Board. Runyon Woods and Hannah Byrum, representing the applicant, Woodhill, INC LLC, also provided responses to the questions.

In response to a question regarding native plantings, a representative from Bland Landscaping Company, told the Board that only native species or non-invasive species would be used to landscape.

Alderman Gist expressed concern with the noise ordinance not covering businesses that have noises that spill over into residential neighborhoods.

Scott Clark, the traffic engineer from Davenport and Ashton Smith, a civil engineer spoke to the Board regarding the flooding of the trailers across from the proposed development. They discussed that the improvements that the developer is making will not address the four trailers that are affected by backwater flooding from the culvert but that it will help stormwater runoff.

Sharon Collins, a resident that lives across the street from proposed development, stated that they have not been approached to sell a portion of their property (related to right-of-way and roundabout construction) but that they were approached to provide the property without compensation. She expressed concern with additional stormwater runoff from Park Slope. She also expressed concern with the roundabout being located on a hill.

Robert Joyner, a resident of Roberson Place, read conditions the community has requested from the developer.

Tommy Koonce, a neighbor of the proposed development discussed concerns with sightlines and noise. He asked that the developer provide additional screening to protect his property. Mr. Woods stated that he would be happy to work with Mr. Koonce to establish additional plantings on the Koonce's property. Nick Herman, the Town's Attorney, stated that this matter would be a private property issue between the developer and Mr. Koonce.

Lisa Hazirjian, a resident of Roberson Place, stated that she is concerned with the possibility of increased noise associated with patrons leaving the location late at night. She also asked that the residential neighborhood be protected from rodents that are attracted to trash.

Staff will work to amend the conditions, especially regarding the discussion of the neighbors points, the driveway and screening assistance for Sharon Collins, the additional screening assistance for the Koonce's, delivery locations and times, and a way to work the performance standards into conditions.

George Seiz, the Town's Public Works Director, was sworn in and provided the Town's solid

waste pickup schedules.

Robert Joyner requested that the Roberson Street HOA be contacted and provided a chance to review the conditions prior to the meeting. Staff agreed to provide the information to the HOA in advance of the next meeting.

Alderman Gist asked the developer to make sure roundabout is moved to not affect the property owners.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL FOR STAFF TO AMEND THE CONDITIONS, ESPECIALLY REGARDING THE DISCUSSION OF THE NEIGHBORS POINTS, THE DRIVEWAY, REINSTALLATION OF THE ROCK WALL, AND \$3,000 IN LANDSCAPING ASSISTANCE FOR SHARON COLLINS, THE ADDITIONAL SCREENING ASSISTANCE FOR THE KOONCE'S, DELIVERY LOCATIONS AND TIMES, AND A WAY TO WORK THE PERFORMANCE STANDARDS AND SOLAR INTO CONDITIONS. THE CONDITIONS SHOULD BE PROVIDED TO THE BOARD SHOWN DIVIDED BASED ON SOURCE OF REQUEST. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CONTINUE THE PUBLIC HEARING TO MAY 26, 2015. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SEILS TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL