



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

Tuesday, October 6, 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

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### WEAR PINK CARING DAYS PROCLAMATION

Mayor Lavelle proclaimed the month of October 2015 as "Wear Pink Caring Days" in Carrboro and presented the proclamation to Fire Chief Williams.

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### RESOLUTION DECLARING "INDIGENOUS PEOPLES' DAY"

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

#### RESOLUTION DECLARING "INDIGENOUS PEOPLES' DAY"

WHEREAS, the holiday known as Columbus Day commemorates the Italian Explorer Christopher Columbus and his voyages to the "New World"; and,

WHEREAS, Columbus Day has been a federal holiday since 1937; and,

WHEREAS, the Town of Carrboro recognizes that the Indigenous Peoples of the lands that would later become known as the Americas have occupied these lands since time immemorial; and

WHEREAS, the Town recognizes the fact that Orange County, North Carolina is built upon the

homelands and villages of the Indigenous Peoples of this region; and

WHEREAS, the Town recognizes and values the many contributions made to our community through Indigenous Peoples' knowledge, labor, technology, science, philosophy, arts and the deep cultural contribution; and

WHEREAS, the Town has a responsibility to oppose the systematic racism towards Indigenous People in the United States, which perpetuates high rates of poverty and income inequality, exacerbating disproportionate health, education, and social crises; and

WHEREAS, the Town promotes the closing of the equity gap for Indigenous Peoples through policies and practices that reflect the experiences of Indigenous Peoples, ensure greater access and opportunity, and honor our nation's indigenous roots, history, and contributions; and

WHEREAS, Indigenous Peoples' Day was first proposed in 1977 by a delegation of Native Nations to the United Nations sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

WHEREAS, On February 4, 2002 the Occaneechi Band of the Saponi Nation located in Orange and Alamance counties became North Carolina's eighth official Indian tribe; and

WHEREAS, on April 21, 2009 the Town of Carrboro was declared a Human Rights City adopting the Universal Declaration of Human Rights (as the second city in the nation to do so), committing itself to protect, respect and fulfill the full range of inherent human rights for all as set forth in the Universal Declaration of Human Rights and numerous other international human rights treaties; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CARRBORO THAT:

Section 1. The Mayor and Board of Aldermen of the Town of Carrboro declare the second Monday in October as Indigenous Peoples' Day in the Town of Carrboro.

Section 2. The Town of Carrboro strongly supports the proposition that Indigenous Peoples' Day shall be an opportunity to celebrate the thriving cultures and values of the Indigenous Peoples of our region.

Section 3. The Town of Carrboro strongly encourages Chapel Hill-Carrboro and Orange County Public Schools to include the teaching of Indigenous Peoples' history.

Section 4. The Town of Carrboro firmly commits to work with Indigenous communities to promote the well-being and sustenance of Carrboro's Indigenous community.

Section 5. The Town of Carrboro encourages all elected boards in Orange County as well as the Alamance County Board of Commissioners to pass similar resolutions before October of 2016, and asks that the Town Clerk forward this resolution to the clerks of each board.

**This the 6<sup>th</sup> day of October, 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

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**APPROVAL OF PREVIOUS MEETING MINUTES**

**MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN SLADE TO APPROVE THE MINUTES OF SEPTEMBER 8, 2015 AND SEPTEMBER 15, 2015, AS AMENDED. VOTE: AFFIRMATIVE ALL**

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**REQUEST TO MAKE AN APPOINTMENT TO THE APPEARANCE COMMISSION**

The purpose of this item was for the Board of Aldermen to make an appointment to the Appearance Commission.

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

**A RESOLUTION MAKING APPOINTMENTS TO THE APPEARANCE COMMISSION**

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE APPEARANCE COMMISSION:

<b>Seat Designation</b>	<b>Appointee</b>	<b>Term Expiration</b>
Member	Gwen Barlow	2/2018

Section 2. This resolution shall become effective upon adoption.

**This the 6<sup>th</sup> day of October, 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

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**CONTINUATION OF JUNE 23RD PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS TO MODIFY THE PRESUMPTIVE PARKING REQUIREMENT FOR RESTAURANTS WITH OUTDOOR SEATING**

The purpose of item was for the Board of Aldermen to adopt a resolution to further continue its consideration of amendments to the Land Use Ordinance to modify the presumptive parking requirements for restaurants with outdoor seating in the B-1(c), B-1(g) and B-2 zoning districts.

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

A RESOLUTION CONTINUING THE PUBLIC HEARING TO CONSIDER TEXT AMENDMENTS  
TO THE LAND USE ORDINANCE RELATING TO THE PARKING REQUIREMENTS FOR  
OUTDOOR USES FOR RESTAURANTS

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY PROVISIONS RELATING TO PARKING REQUIREMENTS ASSOCIATED WITH OUTDOOR USES FOR LAND USE CLASSIFICATION 8.000 IN CERTAIN ZONING DISTRICTS; and

WHEREAS, the Board directed staff to collect information relating to the travel modes of restaurant patrons choosing outdoor dining; and

WHEREAS, as part of the survey process staff has identified additional questions for restaurant owners to assist with the determination of appropriate parking standards.

NOW, THEREFORE BE IT RESOLVED, that the Carrboro Board of Aldermen continues the public hearing on the proposed amendment until November 24, 2015.

**This the 6<sup>th</sup> day of October, 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

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**A PUBLIC HEARING ON THE TEMPORARY STREET CLOSING PERMIT APPLICATION  
FOR THE SAINT PAUL AME CHURCH 5K**

The purpose of this item was to receive public input on the Street Closing Permit Application submitted by the Saint Paul AME Church for the temporary closing and usage of streets from 9:00 AM to 10:00 AM on Saturday, March 5th, 2016 to accommodate the Saint Paul AME Church 5K.

There were no public comments provided.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL.

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING AND USAGE OF THE  
FOLLOWING STREETS TO ACCOMMODATE THE SAINT PAUL AME CHURCH 5K

Section 1. The following streets shall be temporarily used Saturday, March 5<sup>th</sup>, 2016 from 9:00 to 10:00 AM for the Saint Paul AME Church 5K. 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.

1. Old Fayetteville Road from McDougle School entrance to Hillsborough Rd
2. Hillsborough Road to from Old Fayetteville Rd to Lorraine St

3. Lorraine St from Hillsborough Rd to Carol St.
4. Carol St from Lorraine St to Old Fayetteville Rd
5. Old Fayetteville Rd from Carol St. to McDougale School entrance.

Section 1. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

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

Section 3. 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 4. 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 5. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 6. This resolution is contingent on the applicant providing proper liability insurance to the Town at least 30 days prior the event.

Section 7. This resolution shall become effective upon adoption.

**This the 6<sup>th</sup> day of October, 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

Alderman Seils asked for staff to look into allowing this event in future years without public hearing.

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### **DISCUSSION OF ORANGE COUNTY LIBRARY SITE SELECTION**

The purpose of this item was to provide the Board of Aldermen with an opportunity to discuss the Board of County Commissioners interest in working with the Town to locate the Southern Branch Library on Town property.

Alderman Gist stated that she is concerned that Kidzu and ArtsCenter involvement could change the size of the building and could be premature at this point to consider them as partners. She also stated that the businesses that are currently using the parking lot and that it would be detrimental to take the parking off-line during construction.

Alderman Slade stated that this would have to be a shared space for the Cat's Cradle if it's being considered as a shared space for Kidzu and the ArtsCenter. He stated that he would like to have a conversation with the County on how to explore this potential partnership.

David Andrews, the Town Manager stated that the message that the library be decoupled from

the Carrboro Arts and Innovation Center was heard clearly and delivered to the County. He stated that conversations regarding parking and logistics would be had with the County if the library moves forward.

Alderman Haven-O'Donnell stated that the Town could have leverage to do more with the Cat's Cradle if the Town maintains ownership of the land.

Mayor Lavelle stated that North Carolina Central University is establishing virtual justice office pod placed in libraries across the state and mentioned that this would be a possibility in the new Orange County library if built in Carrboro.

Jeff Thompson, Director of Asset Management Services for the County, addressed the "due diligence" process of the next phase of the project. He stated that the study would look into the space for use for a library and include any associated parking. Alderman Gist clarified that there would be additional parking other than the library site.

Alderman Gist stated that the Town of Chapel Hill and UNC are currently working on an Arts and Innovation Center less than two miles away and asked that everyone keep that in mind.

Alderman Chaney stated that this is a New Markets Tax Credit approved site but that it would have to be owned privately for those credits.

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

**A RESOLUTION PROVIDING TOWN MANAGER WITH DIRECTIONS RELATED TO ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS INTEREST IN SITING SOUTHERN BRANCH LIBRARY ON TOWN PROPERTY**

WHEREAS, the Town of Carrboro has had a longstanding interest in the siting a new Orange County branch library in Town; and

WHEREAS, the Board of County Commissioners (BOCC) has received a report from its staff that identifies Carrboro Town property at 203 S. Greensboro Street as a preferred site for the new library; and

WHEREAS, the BOCC has directed its Manager, Bonnie Hammersley, to communicate with Town Manager, David Andrews regarding site acquisition options.

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

- 1) Direct David Andrews to move forward with the County Manager with a conversation regarding due diligence
- 2) Ask that future conversations include the Cat's Cradle
- 3) Ask that staff report back to the Board on the pros and cons of site control
- 4) Ask that the County be transparent through the due diligence process if the plan is for a stand-alone library or library coupled with other uses
- 5) Ask that replacement and interim parking be made a priority
- 6) Staff shall provide the County with the former development plan on 203 S. Greensboro

7) Staff should consider opportunity costs, new market tax credits, and leveraging of funds during the discussions for the site.

**This the 6<sup>th</sup> day of October, 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

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**REVIEW OF PARKING STUDY PROPOSALS - RESPONSES TO TOWN REQUEST FOR PROPOSALS**

The purpose of this item is to provide the Board with an opportunity to receive presentations from the three firms that submitted proposals in response to the Town's request and decide to award a contract for the project or take other action.

The Board heard proposals from JM Teague, VHB and Kimley Horn.

It was decided that the Aldermen will send Bergen Watterson, the Town's Transportation Planner, any further questions so that she can distribute them to the consultants via email and provide a response to the Board before the meeting on October 13<sup>th</sup>. Staff was also asked to send their overall thoughts to the Board regarding the consultant's presentations.

This item was scheduled for further discussion and decision on October 13<sup>th</sup>.

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**CLOSED SESSION**

**MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS TO ENTER INTO CLOSED SESSION PURSUANT TO AUTHORIZATION IN NCGS 143-318.11 (1) and (3). VOTE: AFFIRMATIVE ALL**

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**ADJOURNMENT**

**MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL**