



**Town of Carrboro**

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

**Meeting Minutes  
Board of Aldermen**

**Tuesday, February 4, 2014**

**7:30 PM**

**Board Chambers - Room 110**

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

**Also Present:** David Andrews, Town Manager, Cathy Wilson, Town Clerk, Mike Brough, Town  
Attorney

**Absent:** Alderman Jacquelyn Gist

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**OPEN HOUSE AT EL CENTRO HISPANO**

Mayor Lavelle announced the open house for El Centro Hispano and invited people to attend.

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**CARRBORO BICYCLE COALITION**

Mayor Lavelle announced that the Carrboro Bicycle Coalition has opened their second round of applications for the award of "Bicycle Friendly Business."

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**GRAND OPENING OF WOMAN CRAFT IN CARRBORO**

Dave Otto invited all to attend the grand opening of WomanCraft Co-Op on Monday.

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**ORANGE COUNTY ELECTION INITIATIVE**

Andrew Dykers spoke to the Board about an online election initiative that he is pursuing to decrease the

costs of campaigns and increase citizen access to information. The initiative would ban campaign signs on public property. He plans to meet with the Board of Elections as part of the next step.

Alderman Slade expressed concern with limiting the expression of candidates by limiting signage on public property.

Alderman Haven-O'Donnell also expressed concern with the initiative and the possibility of campaign disadvantages.

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### **PHILLIPS MIDDLE SCHOOL TRASH TERMINATORS TEAM PRESENTATION**

A group of Phillips Middle School Students called the Trash Terminators 2.0 presented their project of composting to the Board. Members of the group were Vincent Chen, Rohan Deshpande, Quentin Sieredzki, and Graeme Zimmermann. All Board members congratulated the group on their work.

Aldermen Slade, Haven-O'Donnell and Johnson offered their support and stated they would like to partner with the group in the future.

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### **REQUEST TO APPROVE A TOWN CODE AMENDMENT RELATING TO BICYCLING ON TOWN STREETS**

The Board of Aldermen was asked to consider an ordinance amending Subsection 6-37(3) of the Town Code relating to the lateral position of a bicycle on a roadway.

Jeff Brubaker, the Town's Transportation Planner, made the staff presentation.

Charlie Hileman and Ginger Guidry, representing the Carrboro Bicycle Coalition, made a presentation to the Board requesting that Carrboro not enact laws that target, or single-out, cyclists over other users of public roadways. They stated that Town Code sections 6-37(3), 6-37(4), and 6-39(1)-d differ from state law as they are currently written. They explained that there is no need to reiterate state law with motor vehicles so there should also be no need to reiterate it with bicyclists.

John Rees, President of Carolina Tarwheels Bicycle Club, stated that he endorsed the comments from the Carrboro Bicycle Coalition.

Alderman Seils stated that he supports the idea of removing sections 6-37 (3) and (4) to make the Town Code consistent with state law. He also stated that 6-37 (a)-(d) should be reviewed so it does not single out bicyclists.

Jeff Brubaker noted that the amendment will not be more restrictive than state law even though it uses the word "bicycle" rather than "vehicle."

Alderman Haven-O'Donnell stated that she wants educational opportunities for the community expanded and asked for the bicycling groups to think about danger spots in the community.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE TO REMOVE SECTIONS 6-37(3) and (4) FROM THE TOWN CODE. VOTE: AFFIRMATIVE FIVE, ABSENT ONE (GIST)

Alderman Seils requested that staff provide more information on 6-39 (1) A-D and if it singles out bicyclists.

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**MANAGER'S PRESENTATION OF CAPITAL IMPROVEMENTS PROGRAM UPDATE**

The purpose of this item was to present the annual update of the Capital Improvements Program (CIP) for FY 2014-15 through FY 2019-20.

Arche McAdoo, the Town's Finance Director, and Matt Efird, the Assistant to the Town Manager, made the staff presentation to the Board.

Alderman Seils stated that he wants staff to ensure that the Town has clear policies, procedures, and training for the way that cameras in police vehicles and on police uniforms will be used. He also mentioned that with the suspension of the Jordan Lake Rules, the Board may have more flexibility in when and how funds allocated for Jordan Lake stormwater projects are spent. He also mentioned that he had heard that the Town of Chapel Hill is using a forum for park use ideas and encouraged staff to look into this as an option for MLK Park.

Alderman Slade thanked staff for their work on the inclusion of energy reduction items. He also requested that future greenhouse gas reductions be shown with a baseline comparison. He also suggested using resources available from the Triangle J Clean Cities Coalition. He requested that the Board provide a public hearing, or staff presentation, for the use of cameras in police vehicles and on police uniforms. He asked for more information on the location of the basketball court and the community garden at Baldwin Park. He also requested more information on the details of the Town Commons improvement costs and how the public can be more involved in the process. He stated that if Duke Energy does not provide LED lighting that is beneficial to the Town, he thinks that neighborhoods should have the option of opting out of having street lights.

Mayor Lavelle stated that she is excited to see a study of renovating Town Hall.

**A motion was made by Alderman Seils, seconded by Alderman Johnson, that this resolution be approved:**

RESOLUTION TO ADOPT THE RECOMMENDED CAPITAL IMPROVEMENTS PROGRAM FOR  
FY 2014-15 THROUGH 2019-20

WHEREAS, the Town of Carrboro recognizes that a Capital Improvements Program enables staff and the Board of Aldermen to plan for future capital needs and investments necessary to provide quality services to residents; and,

WHEREAS, the Capital Improvements Program is a six year planning tool designed to address the Town's immediate and long-term capital needs with regards to: 1) maintaining the existing infrastructure in order to protect the Town's investments; 2) expanding the Town's tax base in a way that will benefit both future and current citizens; 3) complying with state and federal mandates; 4) incorporating energy and climate protection strategies; 5) providing Town services in the most efficient and safe manner; and, 6) managing and encouraging orderly implementation of Town adopted needs assessments, strategic and program master plans (e.g., Vision 2020, Downtown Visioning Plan, Downtown Traffic Circulation Study, Recreation and Parks Master Plan, etc.)

WHEREAS, the recommended FY 2014-15 through FY 2019-20 Capital Improvements Program has been updated from last year's; and,

WHEREAS, funds for capital projects may be appropriated in the annual operating budget or through project ordinances adopted by the Board;

THEREFORE BE IT RESOLVED that the Town of Carrboro Board of Aldermen has received the recommended Capital Improvements Program for FY 2014-15 through FY 2019-20 and adopts it with the following comments:

1. Staff shall consider the comments provided by the Board during the February 4, 2014 meeting.

This the 4<sup>th</sup> day of February, 2014

**The motion carried by the following vote:**

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

**Absent:** Alderman Gist

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**A RESOLUTION MAKING APPOINTMENTS TO THE CARRBORO TOURISM DEVELOPMENT AUTHORITY**

The purpose of this item was for the Board of Aldermen to consider appointing members to the Carrboro Tourism Development Authority (CTDA).

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

A Resolution Making Appointments to the Carrboro Tourism Development Authority

Section 1. The Board of Aldermen hereby appoints:

1. Barbara Leedy
2. Phaedra Kelly
3. Erin Jobe

Section 2. The Board appoints Phaedra Kelly as the Chair.

Section 3. The terms shall expire January 31, 2015

Section 4. This resolution is effective immediately upon adoption.

This the 4<sup>th</sup> day of February, 2014

**The motion carried by the following vote:**

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

**Absent:** Alderman Gist

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**PROPOSED REVISIONS TO THE DCHC-MPO MEMORANDUM OF UNDERSTANDING**

On October 9, 2013, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Transportation Advisory Committee endorsed revisions to the MPO's Memorandum of Understanding (MOU). Member jurisdictions were asked to consider approving the revised MOU by February 20, 2014.

Jeff Brubaker, the Town's Transportation Planner, made the staff presentation.

MOTION WAS MADE BY ALDERMAN SEILS , SECONDED BY ALDERMAN HAVEN-O'DONNELL FOR STAFF TO PROVIDE A REPORT BACK ON THE CONCERNS EXPRESSED BY ORANGE COUNTY REGARDING QUORUM LANGUAGE AND ON TRIANGLE TRANSIT BECOMING A FULL VOTING MEMBER DURING ONE OF THE NEXT TWO BOARD MEETINGS. VOTE: AFFIRMATIVE ALL, ABSENT ONE (GIST)

**A RESOLUTION RELATING TO REVISIONS TO THE DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN PLANNING ORGANIZATION MEMORANDUM OF UNDERSTANDING**

WHEREAS, Section 134 of Title 23 of the United States Code establishes requirements for the designation of metropolitan planning organizations (MPOs), plans to be developed, transportation modes to be included in the planning process, and other factors; and,

WHEREAS, the aforementioned section requires a "performance-driven, outcome-based approach to planning" for an intermodal (including bicycle and pedestrian) transportation system; and,

WHEREAS, Section 66.2 of Chapter 136 of the North Carolina General Statutes requires that MPOs develop comprehensive transportation plans (CTP); and,

WHEREAS, the Town of Carrboro has participated in the regional transportation process as an active member of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO); and,

WHEREAS, the planning activities of the DCHC-MPO are governed by a Memorandum of Understanding (MOU) approved and signed by the State and all MPO member jurisdictions; and,

WHEREAS, the current MOU was executed in January 1994; and,

WHEREAS, several changes are necessary to “reflect current federal and state legislation and regulations, planning practices of the MPO, updated population figures, and best planning principles”, as stated by MPO staff; and,

WHEREAS, the Transportation Advisory Committee of the MPO approved the revisions on October 9, 2013, but it must be approved by member jurisdictions’ governing bodies in order to be fully executed; and,

WHEREAS, the Town of Carrboro continues to be committed to working with all MPO member jurisdictions to further cooperative, comprehensive, and continuing transportation planning; and,

WHEREAS, the Board of Aldermen has reviewed the revisions to the MOU;

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

Directs that the item be continued at the February 11<sup>TH</sup> or 18th, 2014, meeting.

This the 4<sup>th</sup> day of February, 2014

**The motion carried by the following vote:**

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

**Absent:** Alderman Gist

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**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM AND STP-DA AND TAP FUNDING**

The Board of Aldermen received information on, and adopted resolutions relating to, the Statewide Transportation Improvement Program (STIP) and Surface Transportation Program-Direct Apportionment (STP-DA) and Transportation Alternatives Program (TAP) funding, during its November 12 and November 19, 2013, meetings. This item followed up on these topics and requested further action from the Board.

Jeff Brubaker, the Town's Transportation Planner, made the staff presentation.

Alderman Slade recommended contacting the citizens to see if they will donate their easement for the sidewalk on South Greensboro.

**A motion was made by Alderman Seils, seconded by Alderman Haven-O’Donnell, that this resolution be approved:**

**SURFACE TRANSPORTATION PROGRAM - DIRECT APPORTIONMENT AND TRANSPORTATION ALTERNATIVES PROGRAM PROJECTS TO THE DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN PLANNING ORGANIZATION FOR FISCAL YEARS 2015 AND 2016**

WHEREAS, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) 2040 Metropolitan Transportation Plan (MTP) includes Objective 1b, which states: “Select and program transportation projects, which are consistent with community goals and are a cost-effective use of funds”; and,

WHEREAS, Objective 4h of the 2040 MTP states: “Pursue strong funding commitment for building both pedestrian and bicycle facilities”; and,

WHEREAS, federal Surface Transportation Program-Direct Apportionment (STP-DA) funding is made available to metropolitan areas to support regional and local transportation priorities; and,

WHEREAS, STP-DA funding has been a significant source of funding for the Town of Carrboro’s transportation priorities; and,

WHEREAS, the MPO is seeking project lists from member jurisdictions for STP-DA allocations for fiscal years 2015 and 2016; and,

WHEREAS, the MPO has also received federal Transportation Alternatives Program (TAP) funds to develop non-motorized transportation improvements;

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

1. Approves a request that the MPO allocate \$479,361 of STP-DA Local Discretionary funding sub-allocated to the Town of Carrboro for federal fiscal years 2015 and 2016 for preliminary engineering and construction of a sidewalk on South Greensboro Street.
2. Authorizes Town staff to seek non-federal matching funds from half-cent sales tax revenues providing access to transit stops, as provided for in the Orange County Bus and Rail Investment Plan.
3. Directs Town staff to pursue STP-DA Regional Bicycle and Pedestrian funding for federal fiscal years 2015 and 2016 for the Morgan Creek Greenway, coordinating with the Town of Chapel Hill as necessary.
4. Directs Town staff to communicate this resolution to DCHC-MPO as appropriate.

This the 4<sup>th</sup> day of February, 2014

**The motion carried by the following vote:**

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

**Absent:** Alderman Gist

**MATTERS BY BOARD MEMBERS**

### **ACLU PRESENTATION ON CHECKPOINTS**

Alderman Slade stated that he would like an ACLU representative to come speak to the Board about the consequences of license checkpoints. He will work with the Town Clerk to schedule this for a future meeting.

### **COMMENTS FOR NCUC FOR THE DUKE RATE CASE**

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN SEILS FOR THE TOWN CLERK TO SUBMIT COMMENTS, IN RESPONSE TO THE RECENT NCUC ORDER, REQUESTING THAT THE COMMISSION ALSO ORDER DUKE TO PROVIDE A CUSTOMER OWNED RATE IDENTICAL TO THE DUKE-PROGRESS RATE WITH THE CITY OF ASHEVILLE BY JULY 1, 2014. VOTE: AFFIRMATIVE ALL, ABSENT ONE (GIST)

### **SPEED LIMIT FOR BIKE ALLEY**

Alderman Slade suggested that the speed limit for Bike Alley be 7 MPH.

### **ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 9:45PM. VOTE: AFFIRMATIVE FIVE, ABSENT ONE (GIST)