



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

Tuesday, September 16, 2014

7:30 PM

Board Chambers - Room 110

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

**Also Present:** Anita Jones-McNair, Acting Town Manager, Cathy Wilson, Town Clerk, Mike Brough, Town Attorney, Nick Herman, Town Attorney

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### AL JULIAN – CONCERNS REGARDING CROSSWALK CITATION

Al Julian stated that he was ticketed by the Carrboro Police Department for a crosswalk violation. He asked the Board to look into the crosswalk policy currently in place by the Town's Police Department.

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### TERRI BUCKNER – PEDESTRIAN CONCERNS

Terri Buckner spoke to the Board about pedestrian concerns related to access of sidewalks during construction projects. She asked for the Board to look into sidewalk accessibility, visibility, and to acknowledge them as public space; especially through construction areas. She also expressed concern over snow being plowed from roads onto the sidewalks.

Alderman Seils asked for the Town to look into a policy that snowplowing would not block sidewalks. He asked the Town Attorney to look into a policy to require that businesses and private property owners maintain their portion of the public right-of-way on sidewalks. In response, the Town Attorney stated that he does not think that there is statutory authority to require this but that he would look into a voluntary option.

Alderman Johnson asked staff to look into the construction management plan being more explicit regarding the openness of sidewalks during projects.

Alderman Slade suggested that advisory boards be involved in the sidewalk process and the update of the construction management plan.

Mayor Lavelle suggested that the Carrboro Business Alliance look into voluntary business participation to keep sidewalks clear in front of businesses.

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN JOHNSON FOR THE TOWN ATTORNEY TO LOOK INTO A VOLUNTARY PROGRAM FOR PROPERTY OWNERS TO MAINTAIN THEIR PORTION OF PUBLIC SIDEWALKS AND FOR THE CONSTRUCTION PLAN TO BE REVIEWED FOR EXPLICIT PEDESTRIAN ACCOMMODATIONS ON SIDEWALKS. VOTE: AFFIRMATIVE ALL**

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**ELLIE KINNAIRD – GREEN BURIALS, USPS BOUNDARIES, EXTENSION OF LLOYD STREET, TRAFFIC LIGHT AT THE ARTSCENTER, BUSINESS RETENTION**

Ellie Kinnaird asked the Board of Aldermen to look into allowing green burials in the cemetery. She also stated that she would like the USPS to draw the boundaries of Carrboro where they actually are. She asked that the traffic pattern be changed so that traffic coming out of the ArtsCenter is at the light. She asked the Board to look into the street plan originally connecting Lloyd Street to Greensboro Street. She extended congratulations to the new businesses at 301 West Main Street. She asked the Board to look into retaining businesses in the Town and spoke about the need for open office space. She also asked the Board to become more business friendly and to be proactive in finding the spaces that businesses can locate within the Town.

Mayor Lavelle stated that she will look into the addressing boundary issue with the post office.

**MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST FOR STAFF TO REPORT BACK ON THE GREEN BURIAL ISSUE. VOTE: ALL IN FAVOR**

Alderman Seils requested that Trish McGuire, the Town's Planning Director, send the Board an update in a future Board-Manager memo regarding the Lloyd Street connection to Greensboro Street. He also requested that staff reacquaint the Board with the 301 West Main Street traffic plan.

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**A RESOLUTION OF APPRECIATION FOR GERRY WILLIAMS AND JANET PLACE**

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

**A RESOLUTION OF APPRECIATION FOR  
GERRY WILLIAMS AND JANET PLACE**

**WHEREAS**, Gerry Williams and Janet Place were both founding members of the first Carrboro Music Festival Committee in 1997; at that time, Gerry was responsible for assembling the participating musicians and Janet for publicity of the festival; and

**WHEREAS**, in 2002, Gerry was asked by then Mayor Mike Nelson to take over full responsibility for the event, and with the able assistance of a volunteer committee and Carrboro's Recreation and Parks Department, has steered the festival ever since; and

**WHEREAS**, Janet has been responsible over the years for the design of the graphics, t-shirts and posters advertising the festival; and

**WHEREAS**, the Carrboro Music Festival has been highly successful over the years, as shown by an official estimate that 10,000 people attended the event in 2011, enjoying the sights and sounds of 185 performers at 25 venues; and every year continues to expand and improve; and

**WHEREAS**, the Carrboro Music Festival is known for its diverse music styles with a mosaic of racial, ethnic and age groups; and

**WHEREAS**, under Gerry's leadership, The Carrboro Music Festival has become the coolest festival of its kind in the Triangle, in the words of many, "the best day of the year in Carrboro"; and

**WHEREAS**, Gerry and Janet's dedication behind the scenes has resulted in the continued success of this annual tradition; and the Town of Carrboro has been fortunate to benefit from Gerry's experience, knowledge, and organization, and Janet's creative touch; and

**WHEREAS**, Gerry and Janet are leaving North Carolina, and although we will greatly miss them, we wish them both good luck, health, and happiness in this new chapter of their lives.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Board of Aldermen of the Town of Carrboro, North Carolina, do hereby recognize **Sunday, September 28, 2014** as "**Gerry Williams and Janet Place Day**" in the Town of Carrboro and express their sincere thanks and gratitude for their service and contribution to our town.

This the 16th day of September, 2014

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

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

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**PROCLAMATION - FIRE PREVENTION WEEK**

Mayor Lavelle proclaimed the week of October 5<sup>th</sup>-11<sup>th</sup> as Fire Prevention Week in the Town of Carrboro.

Alderman Haven-O'Donnell asked that the Town include fire alarm information on the Town's website.

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**CHARGE ISSUED – QUINTON HARPER, OWASA BOARD OF DIRECTORS**

Cathy Wilson, the Town Clerk, issued a charge to Quinton Harper, the Town's recently appointed delegate to the OWASA Board of Directors.

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**APPROVAL OF PREVIOUS MEETING MINUTES**

**A MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF SEPTEMBER 2<sup>ND</sup> AND SEPTEMBER 9<sup>TH</sup>. VOTE: AFFIRMATIVE ALL**

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**REQUEST-TO-SET A PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS RELATING TO THE BOARD OF ADJUSTMENT**

The purpose of this item was for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance to bring the ordinance into conformity with recent statutory changes relating to the Board of Adjustment.

**A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell, that this Item be approved. The motion carried by the following vote:**

RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO BRING THE ORDINANCE INTO CONFORMITY WITH RECENT STATUTORY CHANGES REGARDING THE BOARD OF ADJUSTMENT

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on October 21, 2014, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance to Bring the Ordinance into Conformity with Recent Statutory Changes regarding the Board of Adjustment."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board for consideration and recommendation prior to the specified public hearing date.

BE IT FURTHER RESOLVED that the draft ordinance is referred to the following Board/Commission for information and review:

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| <input type="checkbox"/> Appearance Commission         | <input type="checkbox"/> Recreation and Parks Commission             |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board  | <input checked="" type="checkbox"/> Board of Adjustment              |

Economic Sustainability Commission

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This the 16th day of September, 2014

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

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

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**A RESOLUTION ESTABLISHING A TOWN HISTORIAN**

The purpose of this item was to have the Board of Aldermen consider adopting a resolution to establish a Town historian.

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

**A RESOLUTION PROVIDING FOR THE APPOINTMENT BY THE BOARD OF ALDERMEN OF  
A TOWN HISTORIAN**

WHEREAS, the Town of Carrboro has a rich history; and

WHEREAS, an understanding of the Town's history facilitates more informed discussions and better decisions regarding current policies and future directions for the Town; and

WHEREAS, the Board of Aldermen recognizes the value of designating a Town Historian in order to acknowledge the importance of and increase the awareness of the Town's history;

NOW THEREFORE, the Carrboro Board of Aldermen resolves:

Section 1. The Board shall appoint an individual to serve at its pleasure as the Town Historian.

Section 2. The Town Historian shall:

- Collect and organize local history materials and cooperate with the Town Clerk in the preservation of historically valuable Town records;
- Represent the Town as its spokesperson on Carrboro's history;
- Advise the Board of Aldermen on the preservation of Town historic sites;
- Work with the Board of Aldermen to establish a safe and protected repository for historical town documents and artifacts donated to the Town;
- Research, write, and make public presentations on aspects of Town history, serving as a resource to the community;
- Advise the Board of Aldermen on historical issues and subjects;
- Serve as a liaison with any Town historical groups, as well as similar groups outside the Town, to encourage cooperation and resource sharing;
- Engage diverse members of the community and its civic organizations in the research,

preservation, telling and interpretation of Town history.

Section 3. The Town Historian shall receive no compensation from the Town but the Town may appropriate funds to pay for costs incurred by the Town Historian in performing his or her official duties, so long as such costs are approved in advance by the Town Manager.

Section 4. This resolution shall become effective upon adoption.

This the 16th day of September, 2014

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

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

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**APPROVAL OF INTERLOCAL AGREEMENT FOR REIMBURSEMENT OF COSTS RELATED TO PRELIMINARY ENGINEERING AND COMMUNITY OUTREACH FOR THE ROGERS ROAD SEWER PROJECT**

The purpose of this agenda item was to provide the Board of Aldermen an opportunity to authorize the Town Manager to execute the draft interlocal agreement between the Towns of Chapel Hill Carrboro, and Orange County. The interlocal agreement establishes a responsibility for the Towns to reimburse Orange County a portion of the costs of the preliminary engineering and community outreach associated with the Rogers Road sewer project.

Alderman Slade asked if the Jackson Center has been updating the County and if so, he would like the Board to be updated as well. He also asked how the Town of Chapel Hill has been legally authorized to expend funds on the project thus far.

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

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT FOR ROGERS ROAD ENGINEERING AND COMMUNITY OUTREACH**

WHEREAS, the Board of Aldermen has supported efforts to make improvements in the Historic Rogers Road area, most recently evidenced by active participation in the work of the Historic Rogers Road Neighborhood Task Force; and

WHEREAS, the Board of Aldermen has previously adopted resolutions expressing its commitment to allocating \$900,000 towards Rogers Road sewer improvements and community center; and

WHEREAS, the Board of Aldermen appropriated \$450,000 from the Town's fund balance to support Rogers Road-related improvements on April 2, 2013 and another \$450,000 on June 17,

2014; and

WHEREAS, the Board of Aldermen has previously indicated the Town's willingness to participate in funding a 14 Percent share, up to \$25,200 of the preliminary engineering and community outreach activities in support of the Rogers Road sewer project; and

WHEREAS, Orange County has entered into interlocal agreements with Orange Water and Sewer Authority for preliminary engineering and with the Jackson Center for community outreach; and

WHEREAS, an interlocal agreement between the Towns of Carrboro, Chapel Hill, and Orange County which establishes a 14-43-43 percent cost-sharing framework, has been prepared. NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen authorizes the Town Manager to sign relevant agreements on behalf of the Town.

This the 16th day of September, 2014

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

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

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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 7th, 2015 to accommodate the Saint Paul AME Church 5K.

There were no public comments provided.

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

**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 7<sup>th</sup>, 2015 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 McDougale 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 McDougle School entrance.

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

Section 7. This resolution is contingent on the applicant providing proper liability insurance to the Town at least 30 days prior the event.

Section 8. This resolution shall become effective upon adoption.

This the 16th day of September, 2014

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

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

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**TALLYHO TRAIL TRAFFIC CALMING REQUEST**

The purpose of this item was to provide the Board with information relating to a traffic calming request from residents living along Tallyho Trail, and to consider implementing traffic calming measures.

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

Alderman Slade asked for staff to report back on why the speed radar signage was used just two days.

Alderman Gist asked why the bicycle and pedestrian count was only completed between 3:00 PM and 5:00 PM. She encouraged the counts to be between 4:00 PM and 6:30 PM.

Alderman Haven-O'Donnell asked that the next survey also include vehicle behavior. She also asked that educational signage be included in the implementation.

Molly Mulling, a resident of Tally Ho, stated that the pedestrian count may be low because parents don't allow their children to walk or bike on the street.

Mayor Lavelle suggested the use of informational signage to inform pedestrians about which side of the street to walk on.



Laura Winsel suggested the use trails through backyards and signage that warns of dangerous curves. She stated that this is also a Rogers Road neighborhood issue.

Alderman Chaney stated that she is interested to see an out of the box approach for the stage 1 implementation. She asked that staff review prior stage 1 implementations and to use best practices from those.

Alderman Slade asked that after stage 1 is implemented, that stage 2 be studied by the TAB.

George Seiz, the Public Works Director, stated that staff will look into educational signage for pedestrians.

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

**RESOLUTION RECOMMENDING TRAFFIC CALMING MEASURES  
ON TALLYHO TRAIL**

WHEREAS, the Carrboro Board of Aldermen adopted the Residential Traffic Management Plan (RTMP) in June of 1996 to provide “a process for identifying and addressing existing problems related to speeding, excessive volumes, and safety on town maintained residential streets;” and,

WHEREAS, a valid traffic calming petition, in accordance with the RTMP, was submitted by residents of the Fox Meadows neighborhood; and,

WHEREAS, a traffic evaluation has been completed and the findings have been presented to the Board of Aldermen; and,

WHEREAS, the Transportation Advisory Board has recommended implementation of Stage 1 traffic calming measures as detailed in its recommendation;

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

1. The Board received the traffic calming report on Tallyho Trail.
2. The Board recommends implementation of the Stage 1 traffic control measures.
3. That staff follow-up with success of Stage 1 implementations in 3-6 months and, if necessary, begin implementation of Stage 2 measures at that time.

This the 16th day of September, 2014

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

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

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**UPDATE ON STORM WATER FLOODING ISSUES**

The purpose of this item was to provide the Board of Aldermen an update on various storm water flooding issues since the last report on May 20, 2014.

George Seiz, the Town's Public Works Director, made the staff presentation.

Alderman Gist asked for the Town to include the concerns from Mr. Mongoven's email dated 9/16/14 to be included as part of the research in for this project.

Tim Carless, a resident of 116 Carol Street, stated that the culverts by his home are too small in diameter to meet the Town Code. He stated that the Town was aware that the home was a problem home and that he was not made aware of the flooding problems.

Mike Brough, the Town's attorney, noted that at the time that the culverts were built, they met the design standards. However, he suggested that the Town look into the drainage issues.

Alderman Slade asked for the Town to maintain an official list for homes that have flooded. The Town Attorney cautioned against the creation of this list.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN JOHNSON TO ACCEPT THE STAFF REPORT. VOTE: AFFIRMATIVE ALL

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### **MINOR MODIFICATION TO THE MASTER SIGN PLAN FOR THE 300 EAST MAIN STREET PROJECT**

The purpose of this item was for the Board of Aldermen to consider a Minor Modification request to the Master Sign Plan for the 300 East Main Street Project. Staff requested that the Board of Aldermen discuss, deliberate, and decide whether to adopt the attached resolution approving the Minor Modification to the Master Sign Plan.

Marty Roupe, the Town's Zoning Administrator, made the staff presentation.

Laura Van Sant, representing 300 East Main, discussed the application.

Alderman Seils asked for clarity on the size of the Fleet Feet blade sign dimensions. He stated that there are existing sign guidelines for multiple story buildings.

Alderman Haven-O'Donnell recommended that the Town look into creating a standard font and size for buildings located in a similar location. The Board suggested reviewing the signage language in the design guidelines.

Alderman Chaney stated that the Board should listen to what customers need regarding signage. She suggested that the Fleet Feet blade sign size not exceed the approved dimensions of the Hampton Inn blade sign.

Alderman Slade expressed concern with the precedent and sign pollution.

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

**A RESOLUTION APPROVING A MINOR MODIFICATION TO THE 300 EAST MAIN STREET PROJECT CONDITIONAL USE PERMIT FOR A MASTER SIGN PLAN FOR THE FLEET FEET BUILDING PHASE OF THE PROJECT**

**WHEREAS**, the Board of Aldermen approved a Conditional Use Permit for the 300 East Main project on September 30, 2008; and

**WHEREAS**, an application has been received in accordance with LUO Section 15-271(d) of the Land Use Ordinance for a Minor Modification to the CUP for a Master Sign Plan for the first phase of the 300 East Main Street Project; and

**WHEREAS**, staff has determined that the application includes information addressing the provisions of Section 15-271(d) for seeking approval of a Master Sign Plan Modification; and

**WHEREAS**, the Board has considered the information, and determined that the application is worthy of approval.

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Master Sign Permit Minor Modification for the Fleet Feet building phase of the project is hereby approved with the following condition:

1. That the Fleet Feet blade sign should not exceed the dimensions of the Hampton Inn blade sign

This the 16th day of September, 2014

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

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

**NAY:** Alderman Slade

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**TJCOG LIVABILITY ASSESSMENT PILOT PROGRAM**

The purpose of this item was for the Board to consider directing staff to apply for, and if chosen, participate in the TJCOG Livability Assessment Pilot Program.

Nate Broman-Fulks, Assistant to the Town Manager, made the presentation.

**MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN CHANEY TO APPROVE OF THE APPLICATION TO THE TJCOG LIVABILITY ASSESSMENT PILOT PROGRAM. VOTE: AFFIRMATIVE ALL**

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**ADJOURNMENT**

**MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN JOHNSON**

TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL