



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

**Town of Carrboro
Meeting Minutes
Town Council**

June 27, 2023

7:00 PM

Council Chambers - Room 110

Present: Mayor Damon Seils, Council Member Eliazar Posada, Council Member Sammy Slade, Council Member Susan Romaine, Council Member Danny Nowell, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell

Also Present: Richard White, Town Manager; Wesley Barker, Town Clerk; Nick Herman, Town Attorney

POETRY READING

Poet Laurette Liza Wolff-Francis read Naomi Shenahi's poem "Famous."

PROCLAMATION: RECREATION AND PARKS MONTH

**RESOLUTION IN SUPPORT OF UPS TEAMSTERS IN THEIR CONTRACT
NEGOTIATIONS 6-27-23**

A motion was made by Council Member Nowell, seconded by Council Member Posada that the following resolution be approved:

A RESOLUTION IN SUPPORT OF UPS TEAMSTERS IN THEIR CONTRACT
NEGOTIATIONS AND PLEDGE TO STAND STRIKE READY IN SOLIDARITY

WHEREAS, working people in North Carolina and the United States are laboring under conditions of extreme income inequality, with many households forced to take on extra hours, shifts, and jobs while executive pay reaches record-setting levels; and

WHEREAS, the degradation of legal and policy support for organized labor has coincided with lower wages, unsafe working conditions, increasing worker mistreatment; and

45 **WHEREAS**, UPS Teamsters carry goods totaling 6% of the National GDP, fulfilling a vital role
46 in every sector of our economy; and

47
48 **WHEREAS**, UPS Teamsters are currently in contract negotiations in advance of their current
49 contract expiring on August 1 ; and

50
51 **WHEREAS**, UPS Teamsters are negotiating to eliminate excessive overtime and
52 get rid of anti-worker two-tier driver classifications, combat employee harassment, and turn part-
53 time jobs into full-time jobs; and

54
55 **WHEREAS**, in the wake of the COVID-19 pandemic, UPS is reporting record profits, thanks to
56 the efforts of their many essential workers; and

57
58 **WHEREAS**, the right to withhold labor is a fundamental right of all workers and a vital tool for
59 securing fair and safe working conditions; and

60
61 **WHEREAS**, the UPS Teamsters have authorized a strike for their union if their demands are not
62 met in time to approve a new contract before August 1; and

63
64 **WHEREAS**, the last time UPS drivers went on strike in 1997, their action resulted in victory for
65 the union within 15 days;

66
67 **NOW, THEREFORE, BE IT RESOLVED** that the Carrboro Town Council stands in
68 solidarity with UPS Teamsters in their fight for a fair contract, and asks the residents of Carrboro
69 to stand Strike Ready to support these professionals who contribute their vital labor to nearly
70 every major industry. We ask that our residents make preparations to avoid crossing any
71 potential UPS picket lines, making plans to receive packages through other carriers. We also
72 direct town staff to research the implications of a UPS driver strike on Town business and report
73 a plan to avoid crossing a picket line to Town Council.

74
75 This is the 27th day of June, 2023.

76
77 **The motion was carried unanimously.**

78
79 *****

80
81 **PUBLIC COMMENT**

82
83 **Katie Kenlin** spoke on Bolin Creek and how creating more impervious surfaces is
84 counterproductive.

85
86 **Linda Haac** spoke on Bolin Creek preservation and flooding concerns.

87
88 **Cliff Haac** spoke on Bolin Creek preservation and flooding concerns.

89
90 **Matthew Leopold** spoke on Bolin Creek and not paving the trail.

91
92 **Mary Beth Nagel** spoke on Bolin Creek paving and asked Council to slow down on the process.
93
94 **Tom Kaduz** spoke on Bolin Creek, in support of Upland Forest Alignment, and spoke on not
95 paving a path through this forest, and the importance to preserve the area for the flora, fauna,
96 species, water as an open greenway.
97
98 **Cliff Simpson** spoke on Bolin Creek and in support of Upland Forest alignment. Spoke on
99 stream quality and habitats of Bolin Creek, stormwater impacts, drinking water quality.
100
101 **Barb Stanross** mentioned that Michael Charles Russell is her husband and was senior engineer
102 for Bolin Creek phases in Chapel Hill. Concerned about amount of damage that could happen
103 with work on a paved path and vehicles in the area. Feels there should be a complete stream
104 restoration. Sensitive riparian area.
105
106 **Dave Otto** spoke on the riverside path in Hillsborough. Spoke in favor of paving a path in Bolin
107 Creek.
108
109 **Simon Bugel** spoke on the unpaved portion of Bolin Creek, states there are always people in this
110 area using it currently even without it being paved. The trail needs more access so people can
111 enjoy it.
112
113 **Tim Turner** spoke in favor of paving a path along Bolin Creek. Spoke on runoff from the
114 current dirt path.
115
116 **Drew Kelley** spoke on Bolin Creek. Felt everyone is not that far apart on this topic, engagement
117 process publishing of events, would like citizens to be included on feedback from the survey.
118
119 **Rob Crook** spoke on Bolin Creek and alternatives to paving along the creek and instead
120 developing a multi-use path.
121
122 **Melody Kramer** spoke on Bolin Creek- in favor of paving a path, spoke on connectivity, less
123 reliance on vehicles, connectivity to Chapel Hill.
124
125 **Jennavee Harris** spoke on the Landings and current issues. Mayor asked Manager for follow up
126 on this email feedback.
127
128 **Seth Elliott** proposed bench monument in honor of Marty Mandell on the Adams Tract. Cedar
129 plank benches are proposed type of bench.
130
131 **Robert Kirschner** spoke on Bolin Creek Greenway and paving the path and spoke on proposed
132 crosswalks on Hwy 54 between Royal Park and Canterbury and activated controls for
133 crosswalks.
134
135 **Martha Hoelzer** showed video to Council on flooding concerns along Homestead Rd. Is not in
136 favor of a greenway that's in a floodplain. Hiring engineer to provide data points for cost of tree

137 removals. Should partner with Chapel Hill with their recent \$1 million funding for greenway.
138 Citizens should know the cost of this project if taxpayer funds are being used.

139
140 *****

141
142 **APPROVAL OF OCTOBER 18, 2022 MINUTES**

143
144 **A motion was made by Council Member Foushee, seconded by Council Member Posada to**
145 **approve the October 18, 2022 minutes.**

146
147 **The motion was carried unanimously.**

148
149 *****

150
151 **REQUEST TO AUTHORIZE TOWN MANAGER TO EXTEND CONTRACT WITH**
152 **WETHERILL ENGINEERING FOR PRELIMINARY ENGINEERING FOR THE**
153 **JONES CREEK GREENWAY**

154
155 The purpose of this agenda item is to authorize the Town Manager to extend the contract with
156 Wetherill Engineering to complete the bid documents and participate in the bid process for the
157 Jones Creek Greenway.

158
159 **A motion was made by Council Member Foushee, seconded by Council Member Posada,**
160 **that the following resolution be approved:**

161
162 A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXTEND THE CONTRACT
163 WITH WETHERILL ENGINEERING FOR PRELIMINARY ENGINEERING SERVICES TO
164 CONSTRUCT THE JONES CREEK GREENWAY
165 (TIP# C-5181)
166

167 **WHEREAS**, the Town of Carrboro executed a municipal agreement, and supplemental
168 agreement with the North Carolina Department of Transportation to receive Congestion
169 Mitigation and Air Quality Improvement Program (CMAQ) Funds for the design and
170 construction of the Jones Creek Greenway, a seventy-foot bridge and paved greenway trail
171 between Lake Hogan Farm Road and the Twin Creeks Greenway; and,
172

173 **WHEREAS**, on June 27, 2017 the Town entered into a contract with Wetherill Engineering to
174 complete preliminary engineering services to design and prepare bid documents for construction;
175 and
176

177 **WHEREAS**, it is necessary to extend the contract to complete the preparation of bid documents,
178 the bid advertisement and review of the award and execution of a construction contract.
179

180 **NOW, THEREFORE, BE IT RESOLVED** by the Carrboro Town Council that the Council
181 authorizes the Town Manager to extend the contract with Wetherill Engineering to complete the

182 preliminary design services, including the preparation of the bid documents and participation in
183 the bid process.

184
185 This the 27th day of June 2023.

186
187 **The motion was carried unanimously.**

188
189 *****

190
191 **REQUEST TO APPROVE A RESOLUTION AUTHORIZING THE TOWN MANAGER**
192 **TO EXECUTE A MUNICIPAL AGREEMENT WITH NCDOT FOR THREE**
193 **SIGNALIZED PEDESTRIAN CROSSINGS ALONG NC 54**

194
195 The purpose of this item is for the Town Council to consider authorizing the Town Manager to
196 enter into a Municipal Agreement with NCDOT for the construction of signalized pedestrian
197 crossings along NC 54 at Westbrook Drive, Abbey Lane and Kingswood Apartments.

198
199 **A motion was made by Council Member Foushee, seconded by Council Member Posada,**
200 **that the following resolution be approved:**

201
202 RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A MUNICIPAL
203 AGREEMENT WITH NCDOT FOR THE CONSTRUCTION OF THREE SIGNALIZED
204 PEDESTRIAN CROSSINGS ALONG NC 54 (TIP# BL-0044)

205
206 **WHEREAS,** Pedestrian activated signals were identified in the NC 54 Pedestrian and Bicycle
207 Safety Study (2019) to improve safe access to transit stops along the NC 54 corridor ; and

208
209 **WHEREAS,** a transportation project has been programmed for funding in the STIP (TIP #BL-
210 0044) to design and construct signals at three locations: Westbrook Drive, Abbey Lane and
211 Kingswood/Laurel Ridge; and

212
213 **WHEREAS,** NCDOT has offered to manage the design, bidding, and construction of the
214 project; and

215
216 **WHEREAS,** the Orange County Transit Plan includes \$150,000 of funding for the Town of
217 Carrboro to be used for the installation of a HAWK or similar crossing signal along NC 54.

218
219 **NOW, THEREFORE, THE CARRBORO TOWN COUNCIL,** authorizes the Town Manager
220 to enter into a municipal agreement with NCDOT, and to allocate the \$150,000 of Orange
221 County Transit Fund to NCDOT for the construction of the pedestrian crossings (TIP #BL-
222 0044).

223
224 This the 27th day of June 2023.

225
226 **The motion was carried unanimously.**

227

228
229
230 **RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A**
231 **CONTRACT FOR THE FLEET ALTERNATIVE FUELS FEASIBILITY ANALYSIS**
232

233 The purpose of this agenda item is to request that the Town Council authorize the Town Manager
234 to execute a contract for the Fleet Alternative Fuels Feasibility Analysis.
235

236 **A motion was made by Council Member Foushee, seconded by Council Member Posada**
237 **that the following resolution be approved:**
238

239 A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT
240 FOR THE FLEET ALTERNATIVE FUELS FEASIBILITY ANALYSIS
241

242 **WHEREAS**, the Town of Carrboro’s Energy and Climate Protection Plan outlines a goal of
243 reducing the Town’s 2010 emissions 80% by 2030; and,
244

245 **WHEREAS**, the Town’s fleet represents a significant portion of the Town’s emissions (54%);
246 and,
247

248 **WHEREAS**, there is significant potential to reduce municipal emissions by transitioning the
249 fleet to alternative fuels; and
250

251 **WHEREAS**, Betterfleet was chosen through a Request for Proposals (RFP) procurement process
252 as the most qualified and responsible firm to provide the fleet alternative fuels feasibility
253 analysis; and,
254

255 **WHEREAS**, the Carrboro Town Council approved an amount of \$100,000 for the fleet
256 alternative fuels feasibility analysis on June 22, 2021; and,
257

258 **WHEREAS**, the Carrboro Town Council approved the \$100,000 as part of the designated fund
259 balanced carried over into the FY22-23 Budget on June 21, 2022; and,
260

261 **NOW, THEREFORE, BE IT RESOLVED** that the Carrboro Town Council:
262 Authorizes the Town Manager to enter into an agreement with Betterfleet for the completion of a
263 Fleet Alternative Fuels Analysis for \$69,000.
264

265 This the 27th day of June in 2023.
266

267 **The motion was carried unanimously.**
268

270
271 **AUTHORIZE THE MAYOR TO EXECUTE A REVISED MEMORANDUM OF**
272 **UNDERSTANDING FOR THE ORANGE COUNTY PARTNERSHIP TO END**
273 **HOMELESSNESS**

274
275 The purpose is to authorize the Mayor to execute a revised MOU for the Orange County
276 Partnership to End Homelessness.

277
278 **A motion was made by Council Member Foushee, seconded by Council Member Posada,**
279 **that the following resolution be approved:**

280
281 A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A REVISED
282 MEMORANDUM OF UNDERSTANDING WITH THE ORANGE COUNTY PARTNERSHIP
283 TO END HOMELESSNESS

284
285 **WHEREAS**, in April 2008, the Orange County Board of Commissioners, Chapel Hill Town
286 Council, Carrboro Board of Aldermen, and Hillsborough Board of Commissioners endorsed the
287 Orange County 10-Year Plan to End Chronic Homelessness and entered into a memorandum of
288 understanding to fund a Partnership Coordinator position and support the Plan’s implementation
289 by the Orange County Partnership to End Homelessness; and

290
291 **WHEREAS**, in November 2014, the 2008 memorandum of understanding was revised to better
292 reflect how the Orange County 10-Year Plan to End Chronic Homelessness had evolved and to
293 more accurately describe the structure of the Partnership to End Homelessness and its role in
294 coordinating homeless program services in the County; and

295
296 **WHEREAS**, in 2022, the Town Council authorized an update to the MOU to bring the MOU in
297 line with the existing structure and positions of the Partnership, including a Homeless Programs
298 Manager, a Housing Access Coordinator, and a Homeless Programs Coordinator.

299
300 **WHEREAS**, the Partnership to End Homelessness Executive Team is recommending an update
301 to the existing Memorandum of Understanding.

302
303 **NOW, THEREFORE, BE IT RESOLVED** by the Council of the Town of Carrboro that the
304 Council authorizes the Mayor to execute a revised Memorandum of Understanding with the
305 Orange County Partnership to End Homelessness, as described in the June 27, 2023 meeting
306 materials.

307
308 **BE IT FURTHER RESOLVED** the Town Council intends to further explore the ongoing
309 structure for the Partnership to End Homelessness and the future approach to ending
310 homelessness in Orange County.

311
312 This the 27th day of June, 2023.

313
314 **The motion was carried unanimously.**

315
316 *****

317
318 **REQUEST TO AUTHORIZE THE TOWN MANAGER TO ACCEPT A SAFE ROUTES**
319 **TO SCHOOL NON-INFRASTRUCTURE GRANT FROM THE NORTH CAROLINA**

320 **DEPARTMENT OF TRANSPORTATION**

321
322 The purpose of this item is for the Town Council to consider authorizing the Town Manager to
323 accept the award of a 2023 Safe Routes to School Non-Infrastructure Grant from the North
324 Carolina Department of Transportation.

325
326 **A motion was made by Council Member Foushee, seconded by Council Member Posada,**
327 **that the following resolution be approved:**

328
329 A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A MUNICIPAL
330 AGREEMENT WITH NCDOT FOR THE SAFE ROUTES TO SCHOOL NON-
331 INFRASTRUCTURE GRANT, AND TO SELECT A PLANNING FIRM AND TO AWARD A
332 CONTRACT FOR PLANNING SERVICES TO UPDATE THE TOWN'S SAFE ROUTES TO
333 SCHOOL STRATEGIC ACTION PLAN

334
335 **WHEREAS**, the Town of Carrboro has received confirmation that it is a recipient of a State Safe
336 Routes to School Non-Infrastructure Grant from the North Carolina Department of
337 Transportation's Integrated Mobility Division (IMD) to update the Town's Safe Routes to
338 School Strategic Action Plan; and

339
340 **WHEREAS**, the Town last underwent a Safe Routes to School Planning process in 2011; and

341
342 **WHEREAS**, an update to the plan would reaffirm the Town's commitment to implementing a
343 local Safe Routes to School program for Carrboro residents; and

344
345 **WHEREAS**, Town staff will prepare a Request for Proposals to select the most qualified firm to
346 deliver the project.

347
348 **NOW, THEREFORE BE IT RESOLVED** by the Carrboro Town Council that the Council
349 Authorizes the Town Manager to execute a municipal agreement with NCDOT for the grant and
350 to select a planning firm and to execute a contract for planning services with the selected firm to
351 update the Safe Routes to School Strategic Action Plan.

352
353 This the 27th day of June 2023.

354
355 **The motion was carried unanimously.**

356
357 *****

358
359 **REQUEST FOR TOWN COUNCIL TO APPROVE AN INCREASE IN THE**
360 **CONTRACT FOR RAMEY KEMP ASSOCIATES FOR DESIGN SERVICES**
361 **ASSOCIATED WITH THE SOUTH GREENSBORO STREET SIDEWALK PROJECT**

362
363 The purpose of this agenda item is for the Council to approve a contract increase and extension
364 for Ramey Kemp Associates the firm preparing the bid packet for the South Greensboro Street
365 Sidewalk project in order to provide for the additional design work associated with the water line

366 replacement.

367

368 **A motion was made by Council Member Foushee, seconded by Council Member Posada,**
369 **that the following resolution be approved:**

370

371 A RESOLUTION AUTHORIZING THE TOWN MANAGER TO INCREASE AND EXTEND
372 THE CONTRACT WITH RAMEY KEMP & ASSOCIATES FOR PRELIMINARY
373 ENGINEERING SERVICES TO CONSTRUCT THE SOUTH GREENSBORO STREET
374 SIDEWALK (TIP # C-5650)

375

376 **WHEREAS**, the Town of Carrboro executed a municipal agreement, and supplemental
377 agreement with the North Carolina Department of Transportation to receive federal STBG-DA,
378 STBG, and Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds for
379 the design and construction of the South Greensboro Street Sidewalk, an approximately 0.9-mile
380 sidewalk from the north end of Old Pittsboro Road to Public Works Drive; and,

381

382 **WHEREAS**, the Town has been awarded \$512,340 of Orange County Transit funds to the
383 project; and,

384

385 **WHEREAS**, on June 19, 2018, the Town entered into a contract with Ramey Kemp &
386 Associates to complete preliminary engineering services to design and prepare bid documents for
387 construction, and

388

389 **WHEREAS**, on June 7, 2022, the Town extended the contract to complete the preparation of bid
390 documents, the bid advertisement and review of the award and execution of a construction
391 contract; and

392

393 **WHEREAS**, in April 2023, NCDOT approved the scope of additional design services necessary
394 for the replacement of a waterline necessary for the project to move forward.

395

396 **NOW, THEREFORE, BE IT RESOLVED** by the Carrboro Town Council that the Council
397 authorizes the Town Manager to increase the contract with Ramey Kemp & Associates from
398 \$415,000 to \$537,793.70 and to extend the contract until December 2024 in order to complete
399 the preliminary design services, including the preparation of the bid documents and participation
400 in the bid process.

401

402 This the 27th day of June 2023

403

404 **The motion was carried unanimously.**

405

406

407

408 **INDEPENDENT AUDIT CONTRACT FOR FISCAL YEAR ENDING JUNE 20, 2023**

409

410 The purpose of this item is to award a contract for the Town's annual independent audit for the
411 fiscal year ending June 30, 2023

412
413 **A motion was made by Council Member Foushee, seconded by Council Member Posada,**
414 **that the following resolution be approved:**

415
416 RESOLUTION TO AWARD CONTRACT FOR INDEPENDENT AUDIT SERVICES FOR
417 FISCAL YEAR ENDING JUNE 30, 2023 BE IT RESOLVED BY THE TOWN COUNCIL OF
418 THE TOWN OF CARRBORO THAT:

419
420 Section 1; A contract for fiscal year ending June 30, 2023 is awarded to FORVIS, LLP for a
421 total cost not to exceed 62,930 to perform independent audit, up to two program single audits,
422 and annual financial statements.

423
424 Section 2: The Mayor and Town Manager are authorized to execute the Contract to Audit
425 Accounts (form LGC-205 or equivalent), engagement letter and/or additional
426 items not addressed in the LGC-205.

427
428 Section 3: Since the governing board may not obligate future governing boards, the Town
429 Council will review and approve each annual audit contract.

430
431 Section 4: This resolution is effective upon adoption by the Town Council.

432
433 Section 5: Within five (5) days after adoption of this resolution the Town Clerk shall file a
434 copy of this resolution with the Finance Officer.

435
436 This the 27th day of June 2023

437
438 **The motion was carried unanimously.**

439
440 *****

441
442 **REQUEST TO SET A PUBLIC HEARING ON LAND USE ORDINANCE**
443 **AMENDMENTS MODIFYING RESIDENTIAL PARKING REQUIREMENTS**

444
445 The purpose of this agenda item is to provide the Town Council with a draft ordinance to
446 implement Carrboro Connects Transportation & Mobility Strategy 4.2 Reduce negative effects of
447 parking requirements on housing costs and natural resources. A resolution that would, if adopted,
448 set a legislative public hearing for October 24, 2023, is provided for the Council's use.

449
450 Council Member Haven-O'Donnell asked questions about portion of the ordinance.

451
452 Trish McGuire, Town Planner, responded about the ordinance.

453
454 Council Member Haven-O'Donnell requested provision be changed before the public hearing.
455 But currently in the ordinance.

456
457 **A motion was made by Council Member Slade, seconded by Council Member Romaine,**
458 **that the following resolution be approved:**

459
460 A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE
461 CARRBORO LAND USE ORDINANCE MODIFYING RESIDENTIAL PARKING
462 REQUIREMENTS
463

464 **WHEREAS**, the Carrboro Town Council seeks to provide ample opportunities for the public to
465 comment on proposed amendments to the Land Use Ordinance.
466

467 **NOW, THEREFORE BE IT RESOLVED** that the Town Council sets a public hearing on
468 October 24, 2023, to consider adopting “An Ordinance Amending the Carrboro Land Use
469 Ordinance Modifying Residential Parking Requirements.”
470

471 **BE IT FURTHER RESOLVED** that the draft ordinance is referred to Orange County and the
472 Town of Carrboro Planning Board for consideration and recommendation prior to the specified
473 public hearing date.
474

475 **BE IT FURTHER RESOLVED** that the draft ordinance is also referred to the following Town
476 of Carrboro advisory boards and commissions.
477

Appearance Commission

Recreation and Parks Commission

Transportation Advisory Board

Northern Transition Area Advisory
Committee

Environmental Advisory Board

Affordable Housing Advisory
Commission

Economic Sustainability Commission

478
479
480 This is the 27th day of June in the year 2023.
481

482 **The motion carried unanimously.**
483

484 *****
485

486 **RESOLUTION TO APPROVE A CONTRACT WITH GREENSCAPE, INC FOR**
487 **MOWING ALONG HIGHWAY NC-54 AND TOWN PROPERTIES**
488

489 The purpose of this agenda item is to request the Town Council approve the contract with
490 Greenscape, Inc. mowing services along Highway NC-54 and Town Properties.
491

492 Council Member Slade asked to add to resolution an additional therefore to include electric
493 powered mowing right of way.

494
495 **A motion was made by Council Member Slade, seconded by Council Member Posada, that**
496 **the following resolution be approved:**

497
498 **A RESOLUTION FOR AWARDING THE CONTRACT FOR FY24**
499 **RIGHT-OF-WAY MOWING OF HIGHWAY NC-54 AND TOWN PROPERTIES**

500
501 **WHEREAS,** In August 2022, Public Works received bids to provide right-of-way mowing
502 services along Highway NC-54, and grassy areas at Town properties; and

503
504 **WHEREAS,** staff had identified Greenscape, Inc. as the lowest cost, responsive, and responsible
505 bidder; and

506
507 **WHEREAS,** On September 1, 2022, The Town contracted with Greenscape, Inc. to provide
508 right-of-way mowing services along Highway NC-54, and grassy areas at the following Town
509 properties:

- 510
511 • 301 W Main St. (Fire Station 1, Town Hall, and Town Commons)
512 • 401 Davie Rd. (Westwood Cemetery)
513 • 1411 Homestead Rd. (Fire Station 2)
514 • 306 Broad St. (Baldwin Park)
515 • 217 Simpson St. (Simpson Park); and

516
517 **WHEREAS,** the FY23 contract expires on June 30, 2023 is subject to renewal for two
518 years; and

519
520 **WHEREAS,** Town intends to continue the relationship with Greenscape, Inc. after the
521 completion of the first-year contract.

522
523 **NOW, THEREFORE, BE IT RESOLVED** that the Carrboro Town Council authorizes the
524 Town Manager to award the contract for FY24 mowing to Greenscape, Inc. in the amount of
525 \$62,328.

526
527 **THEREFORE, BE IT FURTHER RESOLVED** that for FY25 the town will seek bids that
528 include electric power right-of-way mowing and landscaping of Highway NC-54 and town
529 properties.

530
531 This the 27th day of June, 2023.

532
533 **The motion carried unanimously.**

534
535 *****

536
537 **RESOLUTION TO APPROVE A CONTRACT WITH GFL ENVIRONMENTAL, INC**
538 **FOR DISPOSAL OF MUNICIPAL SOLID WASTE**

539

540 The purpose of this agenda item is to request the Town Council approve the FY24 municipal
541 solid waste (MSW) disposal contract with GFL Environmental, Inc.

542
543 Council Member Haven-O'Donnell spoke on shipping of waste to a low-income county.
544 Mentioned to discuss at assembly of governments to discuss the county taking care of their own
545 waste.

546
547 Mayor Seils concurred that landfill transfer to Sampson County should be a topic at the assembly
548 of government.

549
550 **Council Member Haven-O'Donnell made a motion, seconded by Council Member Romaine**
551 **that the following resolution be approved:**

552
553 A RESOLUTION FOR AWARDING THE CONTRACT FOR FY24 MUNICIPAL SOLID
554 WASTE DISPOSAL

555
556 **WHEREAS**, the Town received two (2) quotes for the disposal of municipal solid waste in
557 FY24; and,

558
559 **WHEREAS**, staff have identified GFL Environmental, Inc. as the lowest cost and recommend
560 that they be awarded the contract; and

561
562 **WHEREAS**, GFL Environmental, Inc. provided this service in FY22 and FY 23; and

563
564 **NOW, THEREFORE, BE IT RESOLVED** that the Carrboro Town Council authorizes the
565 Town Manager to award the contract for FY24 municipal solid waste disposal to GFL
566 Environmental, Inc. in the amount of \$390,450.

567
568 This the 27th day of June, 2023.

569
570 **The motion carried unanimously.**

571
572 *****

573
574 **CONSIDER AN APPLICATION FOR A MONUMENT LOCATED ON TOWN**
575 **PROPERTY**

576
577 The purpose of this agenda item is for the Town Council to consider an application for a
578 monument located on Town property.

579
580 **Council Member Haven-O'Donnell made a motion, seconded by Council Member Slade**
581 **that the following resolution be approved:**

582
583 A RESOLUTION TO CONSIDER AND APPROVE AN APPLICATION FOR A
584 MONUMENT LOCATED ON TOWN PROPERTY

585

586 **WHEREAS**, Carrboro Town Council received a monument application from Seth Elliott,
587 Randee Haven-O'Donnell, Bethany Chaney, Julie McClintock, Friends of Bolin Creek, and
588 others in honor of Martha "Marty" Mandell.

589
590 **NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO TOWN COUNCIL:**

591
592 Section 1. The Town Council approve the application for the monument consistent with the
593 guidelines set forth in the Policy for Monuments Located on Town Property.

594
595 Section 2. This resolution shall become effective upon adoption.

596
597 This the 27th day of June, 2023.

598
599 **The motion carried unanimously.**

600
601 *****

602
603
604 **CONTINUATION OF PUBLIC HEARING ON A REQUEST FOR VOLUNTARY**
605 **ANNEXATION OF PROPERTY CONTIGUOUS TO TOWN LIMITS**

606
607 The purpose of this item is for the Town Council to receive public comment on a request for
608 voluntary annexation of three properties, 820 and 904 Homestead Road and 310 Lucas Lane. An
609 ordinance annexing these properties into the Town limits is provided for the Town Council's use.

610
611 Tina Moon, Planning Administrator, spoke on this item and gave a quick overview of this item
612 which is a request for voluntary annexation of three properties 820 and 904 Homestead Rd and
613 310 Lucas Lane. Rezoning from R-20 to R-3-CZ for purpose of developing an Architecturally
614 Integrated subdivision (AIS) including a combo of approximately 27 single-family homes and 15
615 multi-family homes.

616
617 Martin Roupe, Town Development Review, presented an overview of the process to accept
618 stormwater control measures. Claremont Phase 4 is what Marty reported on, Phase 5 is still
619 pending. One pond in Phase 4 was officially approved by the Town's plan review engineer in
620 July 2016. Still pending research on the other ponds.

621
622 Council Member Posada asked the process for approval for the stormwater ponds.

623
624 Martin Roupe, Town Development Review, answered that there is an "as built" certification
625 drawing and a letter from the engineering stating that everything is built according to plan in
626 accordance with the Carrboro Land Use Ordinance. It is received by the Town Engineer and the
627 Stormwater Utility Group, once the Town Engineer says it's good it will live with the
628 Stormwater Utility Group and annual reporting will go to the Stormwater Utility Group. It's the
629 developer's responsibility to give the documents to the town.

630
631 Council Member Romaine asked about the timeline on the certification for the stormwater ponds.

632

633 Martin Roupe, Town Development Review, said he is still working through it and doesn't want
634 to give a timeline other than he has made significant progress and doesn't think it will take much
635 longer.

636
637 Council Member Foushee asked about the process to handover the stormwater responsibility to
638 the HOA.

639
640 Martin Roupe, Town Development Review, answered that it is an agreement (convenience)
641 between the developer and the HOA, the town is not a part of that process. The town does hold a
642 performance security bond, an amount of money sufficient to cover the cost of constructing a
643 stormwater system in the instance the developer goes away. This is an agreement between the
644 town and the developer. The town is still currently holding the money for Claremont Phase 4.

645
646 Mayor Seils asked Martin Roupe for updates on the process of Claremont as he uncovers more.
647 Asked the Town Attorney to talk through the situation in Claremont can be the basis for making
648 a decision on the rezoning in question.

649
650 Nick Herman, Town Attorney, stated that Claremont's stormwater management is a concern and
651 should be investigated by the staff if the council decides to make them do it. Tonight is a
652 separate, specific matter and Claremont shouldn't matter for this decision.

653
654 Council Member Slade asked what would happen if the certificates are not found for the
655 stormwater ponds.

656
657 Martin Roupe, Town Development Review, said it would be up to the developer and the third
658 party to find and produce the documentation for the stormwater ponds before they are complete.

659
660 Tina Moon, Planning Administrator, revised draft conditions in presentation based on Council's
661 comments.

662
663 Mayor Seils asked follow-up questions on the process of a project going from start to finish (to
664 permit and zoning phases) and when the council would have input on different items, to include
665 boundaries between properties, set-backs, sidewalks, and landscaping. Questions were answered
666 by Martin Roupe and Tina Moon. Also asked about the yearly inspections.

667
668 Martin Roupe, Town Development Review, talked about annual reporting versus annual
669 inspections depending on what it is. The HOA is responsible for the inspection and reported to
670 the town. Issues would be addressed between the HOA and the town.

671
672 Mayor Seils asked for clarification on the handoff to the HOA at some point. Is the town part of
673 that or notified that the handoff has occurred?

674
675 Martin Roupe, Town Development Review said not typically. It typically happens behind the
676 scenes between the developer and the HOA, except recently for the stormwater maintenance
677 agreements that the town starts engaging through the stormwater utility with the HOA instead of
678 the developer.

679
680 Mayor Seils asked the council if they were interested in adding a step to the process to require
681 notification to the town that the handoff has occurred.
682
683 Council Member Romaine asked when the 2-year bond start.
684
685 Martin Roupe, Town Development Review, said the town accepts when the town receives the
686 letter from the Town Engineer saying that everything is in order in accordance with the plan,
687 then the stormwater utility accepts in into the town's inventory.
688
689 Council Member Romaine asked if native plants are part of the Land Use Ordinance.
690
691 Martin Roupe, Town Development Review, said native plants are not required, but invasive
692 species cannot be used.
693
694 Council Member Romaine asked if there is any language in the Land Use Ordinance that a
695 developer must complete one project before they can begin another project.
696
697 Nick Herman, Town Attorney, said no, that's not legal.
698
699 Council Member Romaine asked if the bonding can also include the stormwater infrastructure
700 downstream, offsite.
701
702 Marty, that is not required in the current ordinance.
703
704 Council Member Slade asked for more information on the downstream runoff and permeable
705 pavers.
706
707 Josh Dalton, Town Engineer, talked about downstream concerns. Runoff is hard to control as
708 most devices are made for 10-year storms. Also, discussed the different types of soil and how
709 HOAs would be required to maintain the permeable pavers.
710
711 Council Member Romaine asked about going from a 25 to 50-year storm event, calculations
712 from the developer that would help determine how much storage would be required.
713
714 Josh Dalton, Town Engineer, at the rezoning stage it's not required but they are showing devices
715 on the plan. Assumes they'd be buyer retention devices, but without calculations he can't
716 determine how much they could retain.
717
718 Mayor Seils asked about requirements for how stormwater is treated and managed on the site and
719 going off the site. The post development runoff can't be greater than pre-development runoff.
720
721 Josh Dalton, Town Engineer, stated the ordinance as it's written now describes the 1, 2, 5, 10,
722 and 25-year events that you aren't increasing the peak discharge rate in the post-construction rate
723 as what it is in the pre-construction, and you have to meet the volume and water quality
724 requirements.

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Mayor Seils asked if those outcomes tracked over time. Is there any follow up that volume is within the perimeters that were required by the ordinance?

Josh Dalton, Town Engineer, said it would be difficult to monitor because you would have to have something out there now tracking flow rates and constantly taking measurements and then do it afterwards. All the devices that are being used throughout the town are state standards and they are monitored by the state. The Town makes sure they are built correctly and maintained.

Council Member Nowell asked if there is a metric standard to enforce pre and post runoff.

Josh Dalton, Town Engineer, said no, it's accepted engineering practices. It's hard because to properly measure it, you need the same storm to hit it pre and post construction to compare.

Public Comments:

Brian Crawford spoke on stormwater concerns and the downsize of this project with number of homes which eliminates potential duplexes and triplexes, who will limit potential residents from living here. Reducing from 77 to 15 duplexes is not affirmatively furthering fair housing.

Gary Asher spoke on access to this proposed development and vehicle use. Cars are dangerous, and risk of having too many cars in neighborhood and risk of safety to pedestrians.

Javier Cid spoke on water issues at his home due to neighboring construction of a home and a stopped-up drainpipe due to the contractors of home. Asked Council to not go through with this plan because does not trust the stormwater plans proposed by the developer.

Jeff Diamond spoke on the Stormwater Advisory Committees' comments about this plan and read those comments aloud. Would like Council to assure that standards are meeting performance milestones.

Mayor Seils asked for Tina Moon to come back up and show the questions and answers slide from the staff and developers.

Council Member Foushee asked if the developer would be interested in doing a payment in lieu.

Council Member Romaine said SWAC recommended installing signs for information purposes on the ponds. Also, can the tree line be kept by the power lines?

Council Member Haven-O'Donnell asked about the difference in preparation for stormwater basin to hold for 25, 50 or 100-year storm event.

Josh Dalton, Town Engineer, said it's all about volume to hold the water on site to control the peak flow of device. It either needs to be deeper or wider depending on volume.

Council Member Haven-O'Donnell asked if there is space on this one to make more volume.

771
772 Josh Dalton, Town Engineer, said it's all up to land, and Omar and his engineer can answer that.
773 They would probably have to give up a lot or more.

774
775 Council Member Haven-O'Donnell asked how the town could do better with stormwater
776 management.

777
778 Josh Dalton, Town Engineer, said the town has some of the more stringent measures in place, but
779 Town Council could make the measures (code) even more strict.

780
781 Council Member Slade stated that the town has a connectivity policy but doesn't follow it.
782 Would like to have a work session to discuss it. Would like to see a 50-year basin based on the
783 stormwater advisory committee's recommendation. In favor of native plants and signs, plus is
784 concerned about sediment runoff to downstream.

785
786 Developer Omar Zinn stated as a developer the easiest thing to do would be just put the 21 units
787 on the ground and not have to worry about changing the density requirements. Stormwater has
788 been a big issue and those must be maintained over the years. Stated the storm water basins are
789 25-year basins, not 10-year basins. Installing signs for stormwater is a good idea, just not an
790 overabundance of them. The tree line along the power lines would depend on the Duke Power
791 easement, but it doesn't look like it would work. Willing to look at a 50-year storm basin, but
792 might need to lose some housing.

793
794 Mayor Seils asked if the developer is willing to put this 50-year basin in as a condition?

795
796 Developer Omar Zinn said yes, he's willing to put the 50-year basin in as a condition. Willing to
797 pay for one affordable unit, not asking for additional density. Native vegetation is required in
798 buffers but doesn't want to limit street trees or foundation planning to be native vegetation.

799
800 Mayor Seils asked about concerns about sedimentation runoff to other developments.

801
802 Chad, the Project Engineer, spoke on sedimentation rules and runoff concerns and people should
803 alert the state if someone else's runoff goes on their property.

804
805 Mayor Seils re-stated the conditions to the developer.

806
807 **Council Member Nowell made a motion, seconded by Council Member Posada to approve**
808 **the following ordinance:**

809
810 AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
811 APPROXIMATELY 9.70 ACRES OF PROPERTY KNOWN AS 820 AND 904
812 HOMESTEAD ROAD, AND 310 LUCAS LANE FROM R-20 (RESIDENTIAL, 20,000
813 SQUARE FEET PER DWELLING UNIT) TO R-3-CZ (RESIDENTIAL, 3,000 SQUARE
814 FEET PER DWELLING UNIT, CONDITIONAL)

815
816 **Ordinance No. 18 / FY 2022-23**

817

818
819
820
821
822

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows:
That property being described on Orange County Tax Maps by parcel identification numbers shown below shall be rezoned as noted and subject to the following conditions:

PIN	Existing Zoning	Acreage	Proposed Zoning
9779-28-4165	R-20	4.32	R-3-CZ
9779-27-6844	R-20	2.78	R-3-CZ
9779-28-8116	R-20	2.61	R-3-CZ

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1. The illustrative site plan labeled “Carrboro Homestead Zoning Concept - Rezoning Exhibit for 820 & 904 Homestead Road and 310 Lucas Lane,” dated February 1, 2023 is approved and incorporated herein to indicate all potential land uses, the general location of buildings and parking areas including parking spaces with EV charging stations, vehicular and bicycle-pedestrian access points, circulation patterns, stream buffers, stormwater control areas, areas of preserved trees and other landscaped areas, and the location of proposed recreational facilities. Other features and issues remain to be decided at the time a special use permit-A is requested for the development. Those features and issues include, but are not necessarily limited to, the final number of residential uses by type, the location of on-street parking, open space and recreation facilities, bicycle-pedestrian improvements along Homestead Road, and all other elements necessary to determine compliance with the Land Use Ordinance.
2. The project shall be designed as an Architecturally Integrated Subdivision (AIS). As referenced in condition #1 above, the rezoning exhibit shall include illustrative lot layouts for each type of residential unit showing the location of setbacks, building footprints, trees, parking area, etc., to ensure the buildability of the proposed lots.
3. The development shall contain between 36 to 56 dwelling units. This includes a maximum of 44 primary dwelling units consisting of a combination of use classifications 1.111 (single-family detached, one dwelling unit per lot, site built/modular), 1.232 (duplex, no bedroom limit), 1.242 (two family apartment, no bedroom limit), 1.322 (multi-family townhomes, no bedroom limits), and 1.332 (multifamily apartments with no bedroom limits), and up to 12 accessory dwelling units, 1.220 (detached or accessory apartments).
4. The applicant has expressed interest in pursuing size-limited dwelling units, and will include up to 25% size limited units. The Housing & Community Services staff recommends that the rezoning follow the affordable housing expectation in the Land Use Ordinance and is content upon allocating 15% of the total number of units for affordable housing, or upon providing a payment in lieu of affordable units. If the project does not include 15% affordable units, the applicant shall participate in an affordable housing meeting with the Town Council.
5. Per the Town’s connectivity requirements, the proposed east-west internal road shall be constructed to provide a full connection to Lucas Lane. The street connection shall be designed and constructed with traffic calming measures so that it does not encourage

860 substantial through traffic. Traffic calming measures shall be subject to the review and
861 approval of the Town of Carrboro Fire Marshal.

- 862
- 863 6. The applicant shall dedicate a 30-foot wide public trail easement directly adjacent to the
864 NCDOT right-of-way for Homestead Road to the Town at the time that the final plat is
865 recorded.
 - 866
 - 867 7. The project shall include the construction of a 5-foot wide sidewalk or its function
868 equivalent, such as a raised boardwalk, within the dedicated easement such that it can be
869 widened to 10 feet in the future by the Town. The sidewalk shall connect to the existing
870 sidewalk just east of the project, at Claremont.
 - 871
 - 872 8. The applicant will install 50-year stormwater basins.
 - 873
 - 874 9. Payment in lieu of one equivalent affordable housing unit
 - 875
 - 876 10. Installation of signage for stormwater control information
 - 877
 - 878 11. The usage of only native vegetation in all stormwater basins and buffers.
 - 879

880 SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are repealed.

881
882 SECTION 3. This ordinance shall become effective upon adoption.

883
884 This the 27th day of June, 2023.

885
886 **The motion carried unanimously.**

887
888 *****

889 Council Member Haven-O'Donnell wants staff to explore the questions of what kinds of bollards
890 would be acceptable, so the town has the flexibility if something comes out of work session on
891 connectivity and connector roads.

892
893 Council Member Foushee asked if the Fire Chief had any further information on bollards.

894
895 Fire Chief Potter discussed questions on bollards and accessibility. Also noted sprinkler system
896 requirements.

897
898 Council Member Foushee directed Town Manager to make connectivity a work session item to
899 discuss the policy.

900
901 **Council Member Nowell made a motion, seconded by Council Member Romaine to**
902 **approve the following resolution:**

903

904 A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE TOWN COUNCIL’S
905 REASONS FOR ADOPTING AN AMENDMENT TO THE MAP OF THE CARRBORO
906 LAND USE ORDINANCE (N.C. Gen. Stat. 160A-383)
907

908 **WHEREAS**, an amendment to the text of the Carrboro Land Use Ordinance has been proposed,
909 which amendment is described or identified as follows: AN ORDINANCE AMENDING THE
910 CARRBORO ZONING MAP TO REZONE APPROXIMATELY 9.70 ACRES OF PROPERTY
911 KNOWN AS 820 AND 904 HOMESTEAD ROAD, AND 310 LUCAS LANE FROM R-20
912 (RESIDENTIAL, 20,000 SQUARE FEET PER DWELLING UNIT) TO R-3-CZ (RESIDENTIAL,
913 3,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL).
914

915 **NOW, THEREFORE**, the Town Council of the Town of Carrboro Resolves:
916

917 **Section 1. The Town Council has reviewed the draft amendment to the map of the Land**
918 **Use Ordinance and concludes that the proposed amendment is:**

919 X *Consistent* with the Town of Carrboro 2022-2042 Comprehensive Plan, *Carrboro*
920 *Connects*, particularly the strategies described below:
921

- 922 • Affordable Housing Strategies to increase the number of size limited homes for purchase or rent
923 and to preserve and expand opportunities for missing middle housing (Strategy 4.4);
- 924 • Crosscutting strategies to expand opportunities for accessory dwelling units Affordable
925 Housing Strategy 3.1 and Land Use Strategy 2.3.
- 926 • Transportation Strategies Maps and Bike Plan recommendations for a shared use path along
927 Homestead Road and an intersection improvement at Stratford Road and Homestead Road;
- 928 • Land Use Strategies to pursue updates to the LUO and zoning maps to provide greater
929 densities in areas prioritized for growth, particularly along corridors identified in Strategy 8.1
930 and small area plans as part of implementation of the comprehensive plan under 2.8.
931 Continue to increase residential density in Transition Area 1 and along key transportation
932 corridors in a way that is compatible and interconnects with existing neighborhoods.
- 933 • Rogers, Homestead and Old 86 Corridor Recommendations (see page 152)
 - 934 ○ Opportunity 4. Extend Chapel Hill Transit along Homestead Road and Old NC 86 to
935 extend service to this section of Carrboro as the demand for transit increases.
 - 936 ○ Opportunity 5. Plan for bicycle facilities to serve the Homestead Road Corridor and
937 development on both sides of Old 86.

938 _____ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the
939 comprehensive plan for the following reason(s):
940

941 _____ *Inconsistent* with the current adopted plans; however, because of the following changed
942 circumstance(s), the Town Council’s approval shall also be deemed an amendment to the existing
943 adopted plan, _____, as described below.
944

945 Changed circumstance(s): _____

946 Amendment to current adopted plan: _____

947
948
949 **Section 2. The Town Council’s action is reasonable and in the public interest for the**
950 **following reason(s):**
951

952
953 The above described amendment is reasonable and in the public interest because it uses a mechanism
954 that allows rezonings to occur under very specific conditions so as to ensure compatibility with
955 surrounding and proposed uses.

956
957 **Section 3. Therefore, the Carrboro Town Council has approved the proposed**
958 **amendment to the map of the Carrboro Land Use Ordinance.**

959
960 **Section 4. This resolution becomes effective upon adoption.**

961
962 This the 27th day of June, 2023.

963
964 **The motion carried unanimously.**

965
966 *****

967
968 **Council Member Posada made a motion, seconded by Council Member Nowell to receive a**
969 **written report on the history and the current status of stormwater management in the**
970 **Claremont neighborhood.**

971
972 **The motion carried unanimously.**

973
974 *****

975
976 **Council Member Romaine made a motion, seconded by Council Member Posada to direct**
977 **staff to Stormwater Advisory Commission to review current stormwater regulations within**
978 **Town and possible modifications of these.**

979
980 **The motion carried unanimously.**

981
982 *****

983
984 **Council Member Slade made a motion, seconded by Council Member Romaine to have a**
985 **work session on the connector roads policy in September.**

986
987 **The motion carried unanimously.**

988
989 *****

990
991 Council was in Consensus to make some adjustments to the agenda and table the presentation on
992 gas-powered landscaping equipment and police dept. quarterly equity report to September.

993
994 **REQUEST TO AMEND RACIAL EQUITY COMMISSION CHARGE**

995
996 The purpose of this agenda item is for the Town Council to consider the recommendation from
997 the Racial Equity Commission (REC) to amend the commission charge. Donald Hawkins II,
998 Racial Equity Commission Chair will make the presentation.

999
1000 Donald Hawkins, II, Racial Equity Commission Chair, presented to council the recommended
1001 changes to the charge. This would keep the purpose but add a vision. The mission added values
1002 as well as goals and objectives, which was explained to Council.

1003
1004 **Council Member Posada made a motion, seconded by Council Member Haven-O'Donnell**
1005 **to approve the following resolution:**

1006
1007 RESOLUTION TO AMMEND THE RACIAL EQUITY COMMISSION CHARGE

1008
1009 **WHEREAS**, the Carrboro Racial Equity Commission was established as the community
1010 advisory, leadership support team of the Town's racial equity commitment. The commission will
1011 work with the Town Council, Race and Equity Officer and Town staff; and

1012
1013 **WHEREAS**, the Racial Equity Commission IS empowered to make short, medium and long-
1014 term recommendations that will make significant progress toward repairing the damage caused
1015 by public and private systemic racism, boosting economic mobility and opportunity, and creating
1016 generational wealth in the Black community; and

1017
1018 **WHEREAS**, the Racial Equity Commission held its first meeting on June 23, 2021; and

1019
1020 **WHEREAS**, the Town of Carrboro seeks to incorporate equitable policies, procedures and
1021 practices. The goal is to create a community in which political, economic, social and cultural
1022 institutions are no longer predicted and influenced by race. That is why the Racial Equity
1023 Commission is so important; and

1024
1025 **WHEREAS**, the need to work from a clear direction and message has been a focal point; and

1026
1027 **WHEREAS**, the Racial Equity Commission request that the Town Council amend the Racial
1028 Equity Commission Charge.

1029
1030 **NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CARRBORO**
1031 **RESOLVES:**

1032
1033 Section 1. Amend the Racial Equity Commission Charge:

1034
1035 **Purpose**
1036 The Carrboro REC exists to ensure the thriving of Black, Indigenous, other People of Color
1037 (BIPOC) town members. We recognize the harm of structural and institutional racism (both seen
1038 and unseen) to BIPOC communities. It is the role of the REC to bring to light the ways in which
1039 racism still plagues our communities and commits to holding Carrboro accountable to facing this
1040 truth and providing equitable operations and services, economic sustainability, affordable
1041 housing, food security, and equitable climate change.

1042
1043 **Vision**

1044 To create a community where all can thrive, and one in which the political, economic, social and
1045 cultural institutions are no longer predicated and influenced by race.

1046

1047 **Mission & Values**

1048 The REC is devoted to educating constituents on the historical legacy of racism and the ways in
1049 which it shows up in Carrboro culture, policies and institutions; amplify the BIPOC voices of
1050 Carrboro so that our focus addresses the true needs of the community; and influence decision and
1051 policymakers to prioritize equity and justice in all matters of policy, procedures and practices
1052 that impact the most vulnerable of Carrboro. The work is grounded on our shared values of:
1053 Teamwork, Leadership, Devotion, Truth, Ethics and Accountability.

1054

1055 **Goals**

- 1056 1. The most vulnerable residents of Carrboro have access to fair and equitable housing.
- 1057 2. Carrboro has clarity on the inequities in our education system and facilitates dialogue
1058 amongst leaders in Education to plan ways to address the priority issues.
- 1059 3. The REC will initiate key collaborations and partnerships to contribute to the
1060 accomplishment of their identified goals.
- 1061 4. The REC will establish a growth and sustainability plan.
- 1062 5. Carrboro will directly invest in supporting wealth building for their BIPOC community.
- 1063 6. The REC will emphasize racial equity awareness and education for Carrboro residents and
1064 leaders.

1065

1066 **Objectives**

- 1067 1. The most vulnerable residents of Carrboro have access to fair and equitable housing.
 - 1068 a. *Objective 1:* Ensure Carrboro has plans in place to build housing for residents with
1069 30% AMI or below.
- 1070 2. Carrboro has clarity on the inequities in our education system and facilitates dialogue
1071 amongst leaders in Education to plan ways to address the priority issues.
 - 1072 a. *Objective 1:* Identifies key stakeholders in the education system, and facilitates
1073 dialogue to discuss issues in education (see below)
 - 1074 i. After school program
 - 1075 ii. Achievement gap
 - 1076 iii. Discipline policy
 - 1077 iv. Mentorship
 - 1078 v. Teacher diversity
 - 1079 vi. Teacher education/implicit bias training
 - 1080 vii. Bias in gifted programs
 - 1081 viii. Activism in education
- 1082 3. Initiate key collaborations and partnerships to contribute to the accomplishment of their
1083 identified goals.
 - 1084 a. *Objective 1:* Identifies a list of key partnership opportunities with organizations that
1085 have shared values and meet about the work of racial justice.
- 1086 4. Establish a growth and sustainability plan.
 - 1087 a. *Objective 1:* Establish an onboarding plan for new members, including training.
 - 1088 b. *Objective 2:* Finalize a recruitment plan for identifying new members.

- 1089 c. *Objective 3:* Establish key metrics of success, and a plan for measuring these metrics
- 1090 over time.
- 1091 d. *Objective 4:* Conduct historical, educational and community building
- 1092 opportunities.
- 1093 e. *Objective 5:* Complete oral history project.
- 1094 5. Invest in supporting wealth building for BIPOC community.
- 1095 a. *Objective 1:* Make recommendations to the town council for establishing pathways to
- 1096 generational wealth for BIPOC.
- 1097 b. *Objective 2:* Follow-up with the Town Council on the progress of the Reparations
- 1098 Plan.
- 1099 c. *Objective 3:* Request that Carrboro create an equity fund.
- 1100 6. Emphasize racial equity awareness and education for Carrboro residents and leaders.
- 1101 a. *Objective 1:* Regularly engage with the community through listening sessions and
- 1102 events.
- 1103 b. *Objective 2:* Initiate a plan for creating cohesion and connection amongst the Black
- 1104 community of Carrboro (mobilize our people to get engaged!)
- 1105 c. *Objective 3:* Ensure the Town commits to equity training for all employees.
- 1106 d. *Objective 4:* Ensure the Town commits to evaluating all policies, practices, procedures
- 1107 and services.

1108

1109 Section 2. The resolution is effective upon adoption.

1110

1111 This the 27th day of June 2023.

1112

1113 **The motion carried unanimously.**

1114

1115 *****

1116

1117 **FOLLOW UP TO FY 22 AUDIT FINDING**

1118

1119 The purpose of this agenda item is to provide a status report to the Town Council on the audit

1120 finding to the FY 2022 Audit.

1121

1122 Arche McAdoo, Finance Director, gave presentation to the Council. Material weakness indicated

1123 was that town had not provided accurate data to the auditors and they had to make several

1124 journal entries to correct this. Further, Town Council contracted an independent CPA to review

1125 from Robert Half Co. to conduct a thorough review of all accounts. Stated finance department

1126 has worked with CPA and drafted new or revised policies, procedures and templates which

1127 include year-end closing, month-end closing, financial calendar- actual results, account

1128 reconciliation and analyses, bank reconciliation, journal entry system, prepaid expenses, cash

1129 handling.

1130

1131 **Council Member Foushee made a motion, seconded by Council Member Haven-O'Donnell that the**

1132 **following resolution be approved:**

1133

1134 RESOLUTION FOR RESPONSE TO INTERNAL CONTROL WEAKNESSES FOR

1135 FINANCIAL REPORTING AND FINANCIAL PERFORMANCE INDICATORS OF

1136 CONCERN (FPIC) FOR FUND BALANCE REDUCTION AND LATE SUBMISSION OF
1137 AUDIT
1138

1139 **WHEREAS**, the Town Council has received a presentation of the Financial Statements and
1140 Independent Audit for the Fiscal Year Ended June 30, 2022 from independent auditors, FORVIS,
1141 LLP; and,
1142

1143 **WHEREAS**, the Independent Auditors, FORVIS, LLP, has provided a favorable opinion for the
1144 Town's Annual Comprehensive Financial Statements; and,
1145

1146 **WHEREAS**, the Independent Auditors identified a material weakness in internal controls for
1147 financial reporting; and
1148

1149 **WHEREAS**, this material weakness caused an inaccurate reconciliation of certain asset and
1150 liability accounts which required material adjusting journal entries during the audit process to
1151 correct these improperly reported balances; and,
1152

1153 **WHEREAS**, the Independent Auditors have identified two Financial Performance Indicators of
1154 Concern that needs to be addressed by the Town Council; and,
1155

1156 **WHEREAS**, it is important that financial reporting be accurate and complete to disclose the
1157 financial condition of the Town and for management decision making; and,
1158

1159 **WHEREAS**, the Auditor's Findings, Recommendations, and Fiscal Matters have been discussed
1160 with the Town Manager and Fiscal Officer; and,
1161

1162 **WHEREAS**, 20 NCAC 03 .0508 requires the governing body to develop a "Response to the
1163 Auditor's Findings, Recommendations, and Fiscal Matters" ("Response) signed by a majority of
1164 the members of the governing body; and submit such Response to the Secretary of the Local
1165 Government Commission within 60 days after the presentation.
1166

1167 **NOW THEREFORE, BE IT RESOVLED** by the Town Council of the Town of Carrboro,
1168 North Carolina adopts the following response to the Auditor's Findings, Recommendations, and
1169 Fiscal Matters for Audit Year Ended June 30, 2022:
1170

1171 A. Material Weakness: The Schedule of Finding and Question Costs included as a material
1172 weakness that errors were identified in the balances provided for certain accounts
1173 including, lease related assets and liabilities upon implementation of GASB 87, capital assets,
1174 accounts receivable, and accounts payable. These errors resulted in the auditors having to
1175 identify numerous adjusting journal entries to correct the improperly reported balances.
1176 Recommendation for auditors is that management conducts a thorough review of all balance
1177 sheet accounts, across funds, to ensure that the trial balances provided for audit do not
1178 contain material errors. The Council has stressed the importance of consistent processes to
1179 accounting staff and will take (or has taken) the following corrective actions:
1180

1181 1. The Finance Director is directed to employ an independent CPA to perform the
1182 following:

- 1183
1184 a. Review all balance sheet accounts, across funds;
1185 b. Review and evaluate system processes for capital assets, accounts receivable and
1186 accounts payable;
1187 c. Develop with finance staff procedures for reconciliations of all balance sheet
1188 accounts, across funds to ensure that trial balances do not contain errors; and,
1189 d. Recommend needed training for the accounting staff.

1190
1191 2. The above tasks in Item #1 above is to be completed no later than May 31, 2023.
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1193 3. The Finance Director shall report to the Town Council on the outcome of the above by
1194 May 31, 2023.
1195

1196 B. Fund Balance Reduction: To increase fund balance available for appropriation in the
1197 General Fund, the Town Council has adopted the following fund balance policy that
1198 requires general fund balance between 22.5% and 35.0%. If unassigned fund balance
1199 falls below 20.0%, the Town Manager is required to develop and implement a plan to
1200 rebuild the balance to 22.5% within one year; or if unassigned fund balance exceeds
1201 35.0%; the Town Manager may set aside an amount in assigned fund balance for transfer
1202 to the capital projects fund for future projects (unless the Town Manager determines it
1203 necessary to maintain fund balance at the current level due to existence of other fiscal,
1204 economic and/or operating conditions). The percentage of fund balance available at June
1205 30, 2022 is 37.96%. The Town Council is committed to compliance with the provisions
1206 of its fund balance policy. A copy of the policy we adopted is enclosed.
1207

1208 C. Late Submission of Audit: This is the second consecutive year that the Town has
1209 submitted its audit report to the LGC after the required deadline. Last year the audit was
1210 submitted late due to the need for a single audit which was identified in late November
1211 2021 by independent auditor's management review. This year the audit was delayed due
1212 to the errors identified in the balances provided for certain accounts including, lease
1213 related assets and liabilities upon implementation of GASB 87, capital assets, accounts
1214 receivable, and accounts payable. These errors resulted in the auditors having to identify
1215 numerous adjusting journal entries to correct the improperly reported balances. The steps
1216 in A.1. above when implemented and completed should eliminate incorrect at data in
1217 future years' audit.
1218

1219 D. A copy of this resolution shall be provided to the Town Manager and Finance Director
1220 within five days of adoption.
1221

1222 E. A copy of this resolution shall be provided to the Secretary of the Local Government
1223 Commission within 60 days of adoption.
1224

1225 This the 27th day of June 2023.
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1227 **The motion carried unanimously.**
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CONSIDERATION OF A DECISION DOCUMENT RELATED TO JADE CREEK ARCHITECTURALLY INTEGRATED SUBDIVISION SPECIAL USE PERMIT-A AT 8522 OLD NC 86

The purpose of this agenda item is for Town Council to consider adopting a decision document related to the Special Use Permit-A request for property at 8522 Old NC 86. A draft version of the decision document is attached as Attachment A.

Town council to consider adopting decision document related to SUP-A request at 8522 Old NC 86.

Council Member Haven-O'Donnell noted she has watched the meeting from 6/13/2023 when this was discussed.

Council Member Posada made a motion, seconded by Council Member Nowell to approve the decision document for Jade Creek.

The motion carried unanimously.

MATTERS BY COUNCIL MEMBERS

Council Member Slade discussed the standards on the Town's Gold Sol Smart status, potentially pursue platinum status, have staff

Council Member Slade made a motion, seconded by Council Member Foushee for staff to look into pursuing Sol Smart platinum status.

The motion carried unanimously.

Council Member Slade brought up Affordable Housing around non-profits. Possible memo from the Town Attorney on what leverage the Council has, what state entity would the Town approach? Rental housing, agreements.

Council Member Haven-O'Donnell discussed tenants' rights and concerns with this affordable housing concerns.

ITEMS TABLED FOR FURTHER SESSION

1275 1. Presentation on Gas-Powered Landscaping Equipment

1276

1277 2. Police Department Quarterly Equity Report

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1281 **ADJOURNMENT**

1282

1283 **A motion was made by Council Member Slade, seconded by Council Member Posada to**
1284 **adjourn the meeting.**

1285

1286 **The motion carried unanimously.**

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1288 *****