



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

**Town of Carrboro
Meeting Minutes
Town Council**

June 4, 2024

7:00 PM

Council Chambers - Room 110

Present: Mayor Barbara Foushee, Council Member Catherine Fray, Council Member Jason Merrill, Mayor Pro Tem Danny Nowell, Council Member Randee Haven-O'Donnell, Council Member Eliazar Posada

Also Present: Patrice Toney, Town Manager; Lamar Joyner, Town Clerk; Nick Herman, Town Attorney

POETRY READING

Liza Wolff-Francis read a poem by Toi Derricotte entitled Cherry Blossoms.

PROCLAMATIONS- Pollinator Week & Gun Violence Awareness Day

PUBLIC COMMENT

Nila Babbit: Requested to change the name of Carrboro to Peaceboro. The Town of Carrboro is named after Julian Shakespeare Carr who was a racist man. If the name of the town cannot be changed, Neela would like the town to host a festival on February 9th in honor of peace.

Isaac Woolsey: Voiced to Council that the disabled community is being overlooked in Carrboro. The EZ Rider is not available to take Mr. Woolsey to and from work because he works the evening shift. The ADA says that transportation is guaranteed to and from work, health appointments, and leisurely activities. Wolseley would like more accessible transportation that runs at least until midnight, and to encourage businesses to hire more disabled people.

April Mills: Expressed concern about defamation of her character by a member of the OWASA advisory board.

CONSENT AGENDA

**APPROVAL OF MINUTES FROM TOWN COUNCIL MEETINGS HELD ON
JUNE 20, 27, JULY 12, SEPTEMBER 12, 19 AND 26, 2023.**

**APPOINTMENT TO THE ORANGE WATER AND SEWER AUTHORITY
(OWASA)**

RESOLUTION TO AUTHORIZE A CONTRACT WITH GFL ENVIRONMENTAL, INC. FOR DISPOSAL OF MUNICIPAL SOLID WASTE.

Purpose: The purpose of this agenda item is to request the Town Council approve the FY25 municipal solid waste (MSW) disposal contract with GFL Environmental, Inc.

REQUEST TO ISSUE A STREET CLOSING PERMIT FOR THE LATAM STREET FEST 2024.

TERMINATION OF AGREEMENT TO GRANT USE OF PUBLIC WORKS SITE TO CAROLINA BIODIESEL, LLC, FORMERLY PIEDMONT BIOFUELS, INC.

PURPOSE: To request Town Council, approve termination of the Agreement between Carolina Biodiesel, LLC, formerly Piedmont Biofuels, Inc., and the Town of Carrboro which currently permits the use of Public Works facility for the placement of a 500-gallon biodiesel fuel tank and fueling station.

REQUEST TO AWARD 2024 STREET RESURFACING CONTRACT

PURPOSE: The purpose of this agenda item is to request that the Town Council award the 2024 Resurfacing Project

RESOLUTION TO AWARD AMERICAN RECOVERY PLAN ACT (ARPA) FUNDING FOR THE CARRBORO FAMILY FINANCIAL ASSISTANCE PROGRAM (CFFAP) - 2ND ROUND

MINOR MODIFICATION OF A SPECIAL USE PERMIT-A

PURPOSE: Town Council is asked to consider approving a resolution authorizing a change to the erosion control and grading plan for Lot 2 within the South Green development project at 501 South Greensboro Street.

Council Member Haven O'Donnell made a motion to approve items 3-9 on the consent agenda. The motion was seconded by Council Member Posada.

Motion carried unanimously.

Mayor Pro Tem Nowell made a motion to approve the minutes. Council Member Posada seconded the motion.

Motion carried 4-0.

Mayor Pro Tem Nowell made a motion to approve item two on the consent agenda. Council Member Posada seconded the motion.

Motion carried 5-1.

Ayes: Mayor Foushee, Mayor Pro Tem Nowell, Council Member Merrill, Council Member Posada, Council Member Fray

Noes: Council Member Haven O'Donnell

PUBLIC HEARING

LEGISLATIVE PUBLIC HEARING ON CARRBORO LAND USE ORDINANCE TEXT AMENDMENT TO UPDATE AND CLARIFY WATER QUALITY BUFFERS, ROAD BUFFERS, SETBACK EXCEPTIONS, AND FENCES.

PURPOSE: This agenda item is to consider a text amendment to the Land Use Ordinance updating and clarifying water quality buffers, road buffers, fences, and

121 setback variances. A draft ordinance has been prepared. The Town Council must
122 receive public comment before making a decision.

123
124 Duncan Dodson, Planner for the Town of Carrboro, gave a presentation about the text
125 amendment and procedure for adoption.

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127 The Council opened the floor for members of the public to speak. No residents came
128 to the podium. Council members began to ask questions about the agenda item.

129
130 Council Member Haven O'Donnell asked a question regarding the water quality
131 buffers.

132
133 Duncan Dodson explained that the town must meet or exceed the rules proposed by
134 Jordan Lake.

135
136 Council Member Haven O'Donnell asked who on the Board of Adjustment has the
137 qualifications to make the decisions that need to be made.

138
139 Mr. Dodson said that it is important to note the quasi-judicial nature of the variances
140 and the evidentiary hearing that is required. The burden is on the applicant to provide
141 evidence that meets the findings of fact. The four that are for all variances and for the
142 additional ones for all minor and major variances.

143
144 Council Member Haven O'Donnell asked if the change would affect the need for
145 projects to request variances?

146
147 Mr. Dodson explained that applicants will still be required to seek a variance with the
148 town.

149
150 Council Member Fray pointed out that regarding the Board of Adjustment, the key
151 skill is legal expertise as opposed to stormwater. They also explained that there is no
152 substantive change to the water quality buffers. The major and minor variances are
153 already applicable when an applicant comes before the board; however, these
154 variances aren't clearly defined in the land use ordinance document (LUO).

155
156 Mr. Dodson: Both the terms major and minor variances are already in the LUO. This
157 text amendment is expanding on the variances by defining them within the LUO.

158
159 Mayor Foushee asked if the text amendment is directly related to 160D.

160
161 Mr. Dodson explained that not all the changes are related to 160D. The name change
162 from special exception to set back exception is directly related to 160D. While fences
163 and road buffers are clarifying revisions of the ordinance as the town already uses
164 them.

165
166 Mayor Foushee closed the public hearing.

167
168 **Council Member Fray made a motion that the draft amendment is consistent**
169 **with the comprehensive plan. The proposed text amendment is reasonable and**
170 **in the public's interest for the reasons listed in the amendment, and Council**
171 **therefore approves the text amendment. Council Member Posada seconded the**
172 **motion.**

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174 **Motion carried unanimously.**

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176 **Council Member Posada made a motion to move attachment B. Mayor Pro Tem**
177 **Nowell seconded the motion.**

178
179 **Motion carried 6-0.**

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GENERAL AGENDA

CARRBORO COMMUNITY SURVEY 2024 RESULTS

PURPOSE: The purpose of this agenda item is to provide the results of the Carrboro Community Survey.

Jason Morado from ETC Institute, the consultant that conducted the community survey for the Town of Carrboro, gave a presentation about survey results. After the presentation, Mr. Morado opened the floor for questions from the Council.

Council Member Posada asked if there was any significant feedback in the survey related to starting a business in Carrboro.

Mr. Morado answered that access to shopping and new commercial development were rated as most important according to the survey.

Council Member Haven O'Donnell asked if there were any questions that looked at or elicited any responses about climate and environmental protection and conservation.

Mr. Morado explained that the survey did not cover those topics this year, but those are great things to keep in mind for future surveys.

Council Member Haven O'Donnell expressed concern about the climate crises and the importance of including climate action in the survey.

Catherine Lazorko pointed out that in the first section of the survey titled "Quality of Life," includes two questions related to racial equity and climate action.

Ms. Lazorko shared that the survey results will be available online.

Council Member Posada asked if the survey results would be translated into other languages.

Ms. Lazorko explained that a summary of the report will be available in other languages.

Council Member Posada asked that the presentation be available in other languages.

UPDATE ON DOWNTOWN AREA PLAN/KICKOFF AND SCHEDULE

PURPOSE: To update the Town Council on the downtown area plan scope and schedule.

Trish McGuire, Director of Planning, gave a presentation updating members of the Council on policy context, the RFQ process and award, the project outline, and how residents will be informed about the plan.

UPDATE FROM OWASA REPRESENTATIVES

Mel Kramer and Bruce Boehm presented the annual update on OWASA's proposed budget, PFAS and the actions OWASA is taking regarding PFAS, and information on OWASA's diversity and inclusion program. They also discussed drinking water service line inventory regarding the 2023 EPA lead and copper rule revisions.

Mr. Boehm shared that approximately half of OWASA's annual budget is invested in making improvements to the community's water and sewer system. The other half is used for operations and maintenance.

Mr. Boehm explained that if approved as proposed, the typical OWASA house bill will increase by \$12.30 starting October 1, 2024. The proposed rate increase will help fund enhanced reduction of PFAS in drinking water, 9.5 miles of water line replacement, and the construction of a new drinking water clear well.

Mel Kramer gave an update on PFAS. OWASA has been preparing for the construction of an enhanced water treatment process to significantly reduce PFAS levels in Orange County's drinking water. The estimated budget for this project is \$75 million.

About 40% of the proposed rate increase is going towards the project, which will take 4-5 years to complete. An information hub will be available online for community members to stay updated on the progress of the project.

Ms. Kramer then provided an update on the Western Intake Partnership at Jordan Lake. The proposal includes building a new intake on the western side of Jordan Lake. The goal is to complete the project in the year 2031. OWASA has currently limited its investment in the project, but financial contributions will be made in the future.

Paul Slack, OWASA's diversity, equity, inclusion, and belonging specialist gave an update on DIEB work within the organization. Mr. Slack shared that he conducted a listening tour across organizational hierarchy to gain insight into strengths and areas for growth.

Todd Taylor, OWASA's Executive Director, provided an update on the EPA's lead and copper rule revision. Based on historical records there are no major sources of lead in the water distribution piping network. No lead service lines have been found in the piping network that connects plumbing and houses with the OWASA meter.

Later this year, OWASA will have a map available online that property owners can access to identify their service line materials. OWASA will continue to offer free water quality testing. Mr. Taylor opened the floor for questions from members of the Council.

Council Member Haven O'Donnell asked about PFAS levels in Cane Creek, and the process and cost of filtration, as well as the rate increase.

Mr. Taylor explained that high levels of PFAS have been detected in Cane Creek, and OWASA has been monitoring those levels since 2018. PFAS levels are much lower once the water has gone through the treatment process. OWASA is looking at the chemicals they use for treatment, such as powdered carbon, and its effectiveness on PFAS in the interim step.

Council Member Haven O'Donnell and Mr. Taylor continued to discuss options for water treatment, the western intake, and the fee increase.

Mayor Pro Tem Nowell asked for information about the timeline and scope of the PFAS treatment facilities, fee increase, and the Care to Share program.

Mr. Taylor explained that new PFAS compounds are being reviewed for further regulation, so it is possible that new facilities will be required in the future, but OWASA is more concerned about the legacy PFAS. The schedule for construction is well set, but OWASA is not confident in the cost.

Council Member Fray asked for clarification about PFAS data on the OWASA website.

Mr. Taylor identified the information as quarterly PFAS monitoring data, which OWASA started collecting in 2018. According to the data, PFAS levels have remained consistent.

Council Member Fray and Mr. Taylor began to discuss if there are other funding sources for the PFAS project beyond rate increases. Mr. Taylor explained OWASA's main source of funding is the bills that the company sends out to consumers.

307
308 Additionally, Council Member Fray asked if OWASA publishes numbers on the
309 disconnect rate, and if the organization has investigated any other approaches to
310 tiering that might make the rating more progressive.
311
312 Mr. Taylor shared that OWASA plans to conduct a rate study in the years to come.
313 There are a lot of constraints around rates and how OWASA can administer rates. A
314 tiered system has flaws. Usage is not a good indicator of wealth.
315
316 Council Member Posada asked for clarification about the disconnect rate.
317
318 Mr. Taylor said there are a few hundred people every month who receive a notice
319 from OWASA that their water is going to be disconnected.
320
321 Council Member Posada then asked about other avenues for funding the Care 2 Share
322 program.
323
324 Mr. Taylor explained that the rate study has the potential to identify if there is a novel
325 idea that OWASA has not thought about yet. Care 2 Share is the main mechanism for
326 customer assistance and one of the few things OWASA can do legally. Currently,
327 OWASA does not know how much money would take care of the issue monthly.
328
329 Council Member Posada asked Mr. Taylor if he has an estimate of how much money
330 comes into the Care 2 Share program each month?
331
332 Mr. Taylor invited Deputy Executive Director Stephen Winters to the podium to
333 answer questions.
334
335 Mr. Winters explained that customers contribute \$2,000 to \$2,200 per month to the
336 Care 2 Share program. Anyone can contribute. Contributors do not have to be
337 customers. There is approximately \$50,000 or \$60,000 that has been built up
338 overtime. More people started contributing during the pandemic. 5% of the customer
339 base contributes a couple thousand dollars per month to Care 2 Share.
340
341 Council Member Posada and Mr. Taylor discussed that there were no comments from
342 the public during the hearing about the rate increase in May. According to Mr.
343 Taylor, there was no direct mailing sent out to advertise the meeting.
344
345 Council Member Posada asked about other mechanisms for advertising, and whether
346 those advertisements were available in languages other than English.
347
348 Mr. Taylor responded that there is an email list, and meetings are listed on the
349 website.
350
351 Council Member Posada echoed Mayor Pro Tem Nowell's sentiments asking how the
352 Town can support community members during the rate increase.
353
354 Council Member Haven O'Donnell asked how OWASA and Town staff can help
355 inform community members about PFAS and PFOA?
356
357 Mr. Taylor explained that OWASA is ramping up communication around PFAS for
358 community members.
359
360 Mayor Foushee asked if the rate increase would take place over several years?
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362 Mr. Taylor laid out the projected increase for the next five years which starts at a 15%
363 increase this year, 9% next year, 9% the following year, and 6% the last two years.
364
365 Mayor Foushee highlighted the Council's concern about alerting community
366 members about the rate increase, and if there is an opportunity to work with town
367 staff to educate community members about why the rate increase is taking place and
368 why it is important.

**TOWN MANAGER’S RECOMMENDED BUDGET FOR FISCAL YEAR
2024-25**

PURPOSE: This agenda item is for the Town Manager to present the Recommended Budget for FY 2024-25.

Bret Greene, Financial Director, gave a presentation about the recommended budget, and opened the floor for questions from the Council.

Mayor Pro Tem Nowell asked if the final recommended budget included splitting the LUO into two years.

Bret Greene confirmed that the LUO will be split into two fiscal years.

Council Member Posada asked if parking numbers were included in the budget.

Bret Greene responded that the expense side was increased for that line item.

Mayor Foushee asked for the exact amount allocated for human services.

Bret Greene did not have an answer at this point.

Anne-Marie Vanaman, Director of Housing and Community Services came to the podium to provide clarification about the exact amount allotted to the Human Services bucket. After calculating the numbers, Ms. Vanaman explained that \$660,000 has been allocated for the human services bucket. After removing the amount supporting the Orange County Partnership to End Homelessness and IFC, that number becomes \$450,000 for Human Services through the application process.

Mayor Foushee noted that there is a public hearing and adoption for the recommended budget on June 18th at 7pm.

OTHER MATTERS BY COUNCIL

Mayor Pro Tem Nowell encouraged community members to watch the CAMPO DCHC Metropolitan Planning Organization.

Council Member Posada gave a brief update on the naming process for the 203 Project, highlighted Pride month, and suggested that council members’ nameplates include their pronouns.

ADJOURNMENT

A motion was made by Council Member Posada, seconded by Council Member Nowell to adjourn the meeting.

The motion carried unanimously.
