



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

Town of Carrboro

Meeting Minutes

Town Council

September 22, 2020

7:00 PM

Remote Meeting

This meeting was held via Zoom teleconference and broadcasted live on cable television and the internet.

Present: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Sammy Slade

Excused: Council Member Damon Seils

Also Present: David Andrews, Town Manager; Chris Milner, Deputy Town Clerk; Nick Herman, Town Attorney

POETRY READING

Fred Joiner, the Town's Poet Laureate, read a poem titled by Joseph Ross titled "Late."

PROCLAMATIONS

Mayor Lavelle proclaimed September 21 through September 27, 2020, as "Diaper Need Awareness Week" in Carrboro.

Mayor Lavelle proclaimed September 22 through September 28, 2020, as "Small Business Week" in Carrboro.

Mayor Lavelle proclaimed September 22, 2020, as "Voter Registration Day" in Carrboro.

EXCUSAL OF COUNCIL MEMBER SEILS

MOTION WAS MADE BY COUNCIL MEMBER GIST, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL TO EXCUSE COUNCIL MEMBER SEILS. VOTE: AFFIRMATIVE SIX, EXCUSED ONE (SEILS).

REQUEST TO SET PUBLIC HEARING FOR ADOPTION OF THE UPDATED BICYCLE PLAN

The purpose of this agenda item was to set a public hearing for Thursday, October 27th, 2020 to consider adoption of the Updated Bicycle Plan.

A motion was made by Council Member Foushee, seconded by Council Member Haven-O'Donnell, to approve the following resolution:

A RESOLUTION TO SET A PUBLIC HEARING TO ADOPT THE UPDATED BICYCLE TRANSPORTATION PLAN

WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to comment on proposed plans and policies prior to adoption;

NOW, THEREFORE BE IT RESOLVED that the Council sets a public hearing on October 27, 2020, to consider adopting the "Updated Bicycle Transportation Plan";

BE IT FURTHER RESOLVED by the draft plan is referred to the Town of Carrboro Transportation Advisory Board for consideration and recommendation prior to the specified public hearing date.

BE IT FURTHER RESOLVED that the draft plan is also referred to the following Town of Carrboro advisory boards and commissions:

- Planning Board
- Environmental Advisory Board

This is the 22nd day of September in the year 2020.

Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Sammy Slade

Excused: Council Member Damon Seils

APPROVAL OF MINUTES FROM SEPTEMBER 8TH 2020

MOTION WAS MADE BY COUNCIL MEMBER GIST, SECONDED BY COUNCIL MEMBER ROMAINE, THAT THE MINUTES FROM SEPTEMBER 8, 2020, BE APPROVED. VOTE: AFFIRMATIVE SIX, EXCUSED ONE (SEILS).

PRIMARY AND SECONDARY FIRE DISTRICT MAP

The purpose of this item was for the Town Council to consider approving an updated Primary and Secondary Fire District Map that is consistent with the Land Use Ordinance text amendment provisions for affordable housing in the B-1(c) zoning district.

A motion was made by Council Member Gist, seconded by Council Member Romaine, to approve the following resolution:

A RESOLUTION AMENDING THE PRIMARY FIRE DISTRICT BOUNDARY

WHEREAS, according to G.S. 160A-435, cities are authorized to establish a primary fire limits; and

WHEREAS, a primary fire district regulates the type of materials that may be used on new construction, renovation, and additions; and

WHEREAS, the Town of Carrboro has established a primary fire district as provided on the Town's adopted Primary and Secondary Fire District Map; and

WHEREAS, the Town of Carrboro may modify its fire limits map periodically to assist in fire prevention and community development.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council of the Town of Carrboro that the attached map represents the Primary and Secondary Fire Districts in Downtown Carrboro, North Carolina.

Adopted this the 22nd day of September in the year 2020.

Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Sammy Slade.

Excused: Council Member Damon Seils

REQUEST TO AUTHORIZE THE TOWN MANAGER TO ACCEPT A GRANT FROM THE NORTH CAROLINA URBAN FOREST COUNCIL

The purpose of this item was for the Town Council to consider authorizing the Town Manager to accept the award of a 2020 Legacy Tree Fund Grant from the North Carolina Urban Forest Council. Jon Hartman-Brown, Economic Development Director for the Town of Carrboro, introduced this item and initiated the discussion.

A motion was made by Council Member Romaine, seconded by Council Member Gist, to approve the following ordinance:

North Carolina Urban Forest Council Legacy Tree Fund Grant
Ordinance #5/2020-21

WHEREAS, the Town of Carrboro, through the Planning Department, has been awarded a Legacy Tree Fund Grant from the North Carolina Urban Forest Council to plant trees and live stakes for the restoration of the riparian buffer of an intermittent stream in Henry “Hank” Anderson III Community Park; and

WHEREAS, the grant award requires the Town to enter into a Scope of Work Agreement with the North Carolina Urban Forest Council; and

WHEREAS, the grant award requires an equal local match of cash or in-kind services; and

WHEREAS, the Town Council for the Town of Carrboro deems this activity to be a worthy and desirable undertaking;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:

1. The grant is hereby accepted and authorized to plant trees and live stakes in Henry “Hank” Anderson III Community Park; and is hereby authorized to be undertaken until all project activity is completed.
2. The following revenues are anticipated to be available to the Town of Carrboro from the North Carolina Urban Forest Council Legacy Tree Fund to complete this project:

Funding for trees and live stakes \$ 3,948.00

3. The Town will provide a matching contribution of \$4,811, which has been allocated to the climate action budget for erosion control and irrigation materials, native seed mix, and outreach materials.
4. The Town will provide a matching contribution of in-kind services, consisting of staff project design work, staff site preparation, and staff and volunteer tree planting events. The value of these services is \$6,213. Volunteer hours were valued at \$25.43 per hour per

North Carolina Urban Forest Council guidelines.

5. The Town Manager is authorized to execute the required funding agreement, execute a Scope of Work Agreement with the NC Urban Forest Council and undertake any other administrative actions necessary to secure this funding.
6. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this grant project ordinance with the Finance Director.

This, the 22nd day of September, 2020.

Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Sammy Slade.

Excused: Council Member Damon Seils

PUBLIC HEARING ON LAND USE ORDINANCE TEXT AMENDMENTS RELATING TO HISTORIC ROGERS ROAD NEIGHBORHOOD

The purpose of this item was for the Town Council to receive public comment on land use ordinance text amendments that would establish new zoning districts and associated performance standards for the Historic Rogers Road neighborhood.

Tina Moon, Carrboro's Planning Administrator, provided the staff report on this item.

Reverend Robert Campbell spoke about the importance of allowing people in the Rogers Road neighborhood to utilize their personal skills and the value of providing services to directly to the people of the neighborhood. He also addressed issues of stormwater in the area.

Deloris Bailey, Executive Director of EmPOWERment, Inc., expressed concern that the desires of the community will be lost when developers deviate from the goals that were previously established. She asked the Council to protect the neighborhood.

The Council proceeded to discuss the issues that were raised in the staff report and public comments.

MOTION WAS MADE BY COUNCIL MEMBER GIST, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, EXCUSED ONE (SEILS).

At the request of Council Member Slade, the following email which was sent to the Council on September 20, 2020, by Lynn Carrino, a resident of Tally Ho Trail, is entered into the record:

Hello Everyone,

My name is Lynn Carrino and I live in Fox Meadow, directly adjacent to the property being considered for Mixed-Use Zoning. I've written emails and spoken at multiple board meetings speaking AGAINST mixed-use zoning and maintaining a rural zoning that reflects the current nature of the area.

I've listed the serious impacts that ANY type of development will have on the well-being of the surrounding homes and neighborhoods. We have been debating this issue for quite some time. Could that be an indication of why no vote has happened yet????

Major concerns: (not in any particular order)

- Storm water run-off (which will GREATLY impact the Fox Meadow neighborhood causing flash flooding),
- Insuring the quality of our well water. Many of us rely on wells for our water supply (mine as NOT been the same since sewer construction and I've spent thousands of dollars for a new filtration system)
- Three story buildings do not belong in this immediate area. (There are many commercial and retail establishments within 2 miles of our neighborhood, Caraway, Chapel Hill North, that offer services suggested in the "Mapping Our Community's Future". In addition, these issues are also concerns in this document.)
- Night Clubs, Bars and Restaurants DO NOT BELONG when retaining quiet, family living.
- There are several examples of retail businesses that operate in our rural neighborhoods. Why can't future businesses go through the same process??
- Compromising the rural nature of our neighborhood
- Infringe upon adjacent properties (50 feet is NOT adequate to insure continued privacy rural feel)
- Removal of too many trees impacting the visual nature of our neighborhoods.
- Increase in traffic
- Lack of road access
- Increase in noise pollution
- Increase in light pollution
- MONEY ALWAYS WINS. Whoever is going to develop this property is not going to care about current residents or the history of the Rogers Road Community.

Please know that I support maintaining socioeconomic and cultural diversity. I support a somewhat broader range of home based businesses so long as the residents that remain are protected from negative effects listed above. I support current and future residents having more financial opportunity. I support more affordable, mixed income housing availability. I support current land owners the ability to remain in place. (By the way, many historic property owners have already sold, hence the availability of this property in the first place....)

If you allow this change to happen there is no way to insure retaining families, no way to retain the physical nature and character of our neighborhoods, and as far as I can see, given what the

town of Carrboro looks like now, no way to maintain socioeconomic and cultural diversity. The ONLY party that will benefit from this change in zoning will be the developer, as always.

Thank you for your time and I greatly appreciate all of your service given to our community!

Lynn Carrino

**PUBLIC HEARING FOR A MAJOR MODIFICATION TO THE CLUB NOVA
CONDITIONAL USE PERMIT**

The Town Council was asked to hold a public hearing for consideration of a request for a Major Modification to the existing Conditional Use Permit.

This item was a quasi-judicial matter. All speakers were sworn in by the Deputy Town Clerk.

Marty Roupe, Carrboro's Development Review Administrator, provided the staff report on this item.

Karen Kincaid Dunn, Director of Club Nova Community, Inc., spoke about the need for this project.

Jack Haggerty, architect for Club Nova, gave a report on the plan.

Meg Holton, owner of the property that is adjacent to the Club Nova property, addressed her concerns about the trees that were proposed for the Club Nova property. She felt that the roots of the trees could cause damage to sidewalks and parking lots. She raised concern that a proposed drain pipe that appeared to be close to a wall and might undermine the footings. She also expressed support for Club Nova and indicated a willingness to support their plan.

The Council and Jack Haggerty proceeded to discuss issues related to the plan.

**MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY
COUNCIL MEMBER ROMAINE, TO CLOSE THE PUBLIC HEARING. VOTE:
AFFIRMATIVE SIX, EXCUSED ONE (SEILS).**

PURCHASING POLICY AND CONTRACT PROCEDURES HANDBOOK

The purpose of this agenda item was to provide Town Council an opportunity to review and comment on proposed new procedures manual.

Arche McAdoo, Carrboro's Finance Director, provided the staff report on this item.

Council Member Romaine asked that a living wage clause be added to the handbook.

MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER GIST, TO HAVE A WORK SESSION TO EXPLORE PURCHASING PREFERENCES AND OTHER TOOLS THAT ARE AVAILABLE FOR MUNICIPALITIES TO ACHIEVE GOALS BEYOND THE CHEAPEST SET VALUE. VOTE: AFFIRMATIVE SIX, EXCUSED ONE (SEILS).

Mayor Lavelle asked for the Town Attorney to advise the Council on what can be done under North Carolina law regarding purchasing preferences.

UPDATE FROM CHIEF SCHMIDT ON COVID-19

Chief Schmidt provided an update on the pandemic as well as the local and regional responses to it.

ADJOURNMENT

MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER FOUSHEE, TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE SIX, EXCUSED ONE (SEILS).

Town Clerk

Mayor