



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

**Tuesday, November 11, 2014**

**7:30 PM**

**Board Chambers - Room 110**

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

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

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### A RESOLUTION FOR VETERANS DAY

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

#### **A RESOLUTION FOR "VETERANS DAY"**

**WHEREAS**, the citizens of the United States live in freedom because of the personal sacrifices made by those who have served, and by those now serving in the armed forces; and

**WHEREAS**, Veterans Day affords all of our citizens an opportunity to honor those who sacrificed so much to serve our great country; and

**WHEREAS**, as we pay tribute to our veterans, we are mindful that no ceremony or parade can ever repay the debt to the men and women have served with courage and devotion under dangerous, unimaginable conditions.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and The Board of Aldermen of the Town of Carrboro, North Carolina, do hereby declare this **Veterans Day, November 11, 2014** as a special day to remember the invaluable contribution of our veterans.

**BE IT FURTHER RESOLVED** that we give special thanks to the following Town of Carrboro employees who are also veterans:

**Fire Dept:** Captain Scott Trombley – Navy  
Captain Eddie Renegar - Marines

**Police Dept:** Captain Cornell Lamb III – Army  
Lt. Doug Strowd - Navy  
Lt. Jason Peloquin - Army  
Officer Jon Hunter - Army  
Lt. Tony Frye - Army  
Sgt. Michael Metz - Army  
Sgt. Joseph Thomas – Marines

**IT:** Gregory Brusseau – Air Force

**Public Works:**

Kelly Blair - Army  
Chad Dusenberry – Army  
Paul Hepp – Army  
Jerry Rhodes - Marines  
John Thomas III – Army  
Manuel Turner – Army

This the 11th day of November, 2014

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

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

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**APPROVAL OF PREVIOUS MEETING MINUTES**

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SEILS TO APPROVE THE MEETING MINUTES OF OCTOBER 21, 2014. VOTE: AFFIRMATIVE ALL

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**SOLID WASTE VEHICLE PURCHASE - SINGLE SOURCE VENDOR SELECTION**

The purpose of this item was to request authorization for the purchase of a solid waste vehicle for the Public Works Department from a sole source vendor.

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

RESOLUTION AUTHORIZING SOLE SOURCE PURCHASE OF A SOLID WASTE REFUSE TRUCK FROM AMICK EQUIPMENT

Whereas, the Town of Carrboro is in need of a solid waste refuse truck and has budgeted funds in the adopted 2014-15 budget to purchase one; and,

Whereas, the Public Works Department has successfully used a drop frame Labrie Body and Autocar chassis refuse truck for over six years and currently has 3 in its fleet;

Whereas, standardization of vehicles and equipment allows the Town gain more efficiency and cost savings in maintenance and repair; and,

Whereas, North Carolina General Statutes 143-129(e)(6) authorizes local governments to purchase from a sole source when (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration; and,

Whereas, Amick Equipment is the sole distributor and seller of the drop frame Labrie Body and AutoCar chassis refuse truck for this jurisdiction; and,

Whereas, Amick Equipment has offered to sell a drop frame Labrie body and AutoCar chassis refuse truck to the Town at a price of \$298,957; and,

Whereas, the Town has determined this price to be fair and comparable to other similar solid waste trucks with similar features;

NOW THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO, HEREBY RESOLVES THAT:

- 1.It is in the best interests of the Town of Carrboro to standardize certain vehicles and equipment; and,
- 2.A contract in the amount of \$298,957 be awarded to the Amick Equipment for the purchase of a drop frame Labrie Body and AutoCar chassis refuse truck;

This resolution shall become effective upon adoption.

This the 11th day of November, 2014

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

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

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### **A RESOLUTION CANCELING THE NOVEMBER 25, 2014 PUBLIC HEARING**

The purpose of this item was to cancel the Board's regularly scheduled November 25, 2014 public hearing.

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

A RESOLUTION CANCELING THE NOVEMBER 25, 2014 BOARD OF ALDERMEN MEETING

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT:

Section 1. The November 25, 2014 Board of Aldermen meeting is canceled.

This the 11th day of November, 2014

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

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

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**SET A PUBLIC HEARING FOR THE FY-2011 CDBG SMALL BUSINESS AND ENTREPRENEURIAL PROGRAM**

The purpose of this agenda item was to schedule a public hearing to review grant budget and activities that have been accomplished for this project.

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

**RESOLUTION TO SET A PUBLIC HEARING DATE FOR THE FY 2011 CDBG-SBEA PROGRAM**

WHEREAS, the Town has completed all program activities and expended all grant funds for the FY-2011 CDBG-SBEA program;

WHEREAS, the Town is required to hold to public hearing to review program budgets and activities that have been accomplished during this project;

NOW THEREFORE BE IT RESOLVED, the public hearing is hereby scheduled for December 2, 2014 at 7:30 p.m. in the Board Room of Town Hall, 301 West Main Street, Carrboro NC.

FURTHER, the public is welcomed and encouraged to attend.

This the 11th day of November, 2014

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

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

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**ANDERSON PARK CAPITAL PROJECT ORDINANCE AMENDMENT**

The purpose of this item was for the Board of Aldermen to consider appropriating additional funds for field lights at Anderson Park

Alderman Slade asked if the Anderson Park lights included LED lighting upgrades. Wendell Rogers, with the Town's Recreation and Parks Department explained that LED lights were not included.

Alderman Haven-O'Donnell requested that staff seek lighting that will allow for retrofitting options

including solar and LED, specifically.

**A motion was made by Alderman Chaney, seconded by Alderman Gist that this ordinance be approved.**

**AMENDMENT TO FY 2014-15 ANNUAL BUDGET ORDINANCE AND CAPITAL PROJECT  
ORDINANCE 13/2012-13 AUTHORIZING THE USE OF FUND BALANCE FOR  
DESIGNATED CAPITAL PROJECTS  
Ordinance No. 5 2014-15**

WHEREAS, the Board of Aldermen for the Town of Carrboro on June 17, 2014 adopted an annual budget ordinance number 32/2013-14 for the fiscal year beginning July 1, 2014 and ending June 30, 2015; and

WHEREAS, the Board of Aldermen on April 2, 2013 adopted capital project ordinance 13/2012-13 authorizing the use of fund balance for designated capital projects.

WHEREAS, it is appropriate to amend certain budget accounts in the general fund operating fund and capital projects funds to provide for increase or decrease revenues and/or expenses for the reasons stated,

NOW THEREFORE, BE IT RESOLVED, that in accordance with authority contain in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

ACCOUNT CODE		ACCOUNT NAME	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
ORG	OBJECT				
621	507740	Anderson Park Tennis Court Resurfacing	\$ 9,095.00	\$ (945.00)	\$ 8,150.00
621	507740	Anderson Park Basketball Court Resurfacing	\$ 12,127.00	\$ (3,377.00)	\$ 8,750.00
621	507740	Baldwin Park Basketball Court Replacement	\$ 50,039.00	\$ (9,058.00)	\$ 40,981.00
66999	540010	Anderson Park Field Renovation	\$ 148,566.00	\$ 32,834.00	\$181,400.00
66999	540010	Anderson Park Field Lighting	\$ -	\$ 140,000.00	\$140,000.00
66999	540010	Wilson Park Tennis Court Replacement	\$ 168,087.00	\$ (42,765.00)	\$125,322.00
621	507740	Transfer to Cap Project A/P Field Lights	\$ -	\$ 13,380.00	\$ 13,380.00
1510	450000	Appropriated Fund Balance		\$ 126,620.00	\$126,620.00
10	595066	Transfer to Cap Project A/P Field Lights		\$ 126,620.00	\$126,620.00
66999	495010	Transfer from General Fund		\$ 140,000.00	\$140,000.00

**REASON:** To appropriate unused funds and additional fund balance in the general fund to provide funding for installation of field lights at Anderson Park.

This the 11th day of November, 2014

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

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

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**PROPOSED IMPROVEMENTS TO TOWN COMMONS**

The purpose of this item was to present to the Board the results of the Town Commons Study which includes a proposed concept plan

David Jantzen, with the Town's Public Work's Department, made the staff presentation.

Alderman Haven-O'Donnell asked for information on the cost of an undergrass permeable underlayer. She also requested the addition of benches that are in a shaded area. She asked for staff to look into the addition of a stage with a screen similar to the one located at Southern Village.

Alderman Gist asked for the change in the number of parking spaces. Mr. Jantzen stated that the changes will lose two spaces.

Alderman Chaney stated that she liked phase 3 and recommended combining phases 2 and 3 in the process. She also asked for staff to consider relocating the handicapped spots in the customer parking along Laurel Avenue to another location and for stroller parking to be considered in its place.

Alderman Seils asked if phase 3 could pose any concern with the close proximity of the new entrance to the fire station. He asked to see a cost benefit of the new paver technology to see when the breakeven point will occur.

Alderman Slade asked for staff to look into including the addition of a pollinator garden, large trees, the slipperiness of the playground surface, and consideration of bathrooms or more clearly indicating the location of the restrooms in Town Hall. He also asked staff to look into creating an area for outdoor movies. He requested that seating or benches be added to the area.

Alderman Gist asked for staff to look into creating a place for reading and booksharing. She asked that staff located at Town Hall be asked for their ideas for the use of the space. Alderman Haven-O'Donnell noted that they saw this during the InterCity Visit to Athens, GA.

Alderman Johnson asked for the survey to be sent out again and for the information to be made available on the Town's website.

The Town Manager stated that additional information will be made available after the CIP and during the formulation of the Town's FY15-16 Budget.

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN JOHNSON TO**

ACCEPT THE STAFF REPORT. VOTE: AFFIRMATIVE ALL

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**CONTINUATION OF DISCUSSION ON PROPOSED GENERAL USE ZONING STRATEGY FOR NSA IMPLEMENTATION**

The purpose of this item was to hone in further on details relating to a possible new mixed-use zoning classification as part of the strategy to implement recommendations from the Northern Study Area Plan Implementation Review Committee (NSAPIRC).

Trish McGuire, the Town's Planning Director, made the staff presentation. She stated that she will look into Chapel Hill's setback requirements along Eubanks Road.

Jay Bryan, representing the Northern Transition Area Advisory Committee (NTAAC), spoke to the Board about the NTAAC's review of the plans. He stated concern with a form based approach and asked that the public be heavily involved.

Mike Brough, the Town's Attorney, explained that the goal of this process has been to develop a zoning district that will not require a quasi-judicial process and would allow more open dialogue between the Board and the community.

Alderman Gist stated that she would like for this process to focus on the single property at question. She also asked that the term "form-based" cease to be used.

Alderman Seils asked for information on how people will access this site and if it will rely highly on single-occupant vehicles. If the site is developed, he would like it to be as public transit oriented as possible.

Mayor Lavelle stated that she is interested in seeing information on the 35 MPH speed limit on Old NC 86 and the building of the Lake Hogan Farm Road.

Alderman Slade stated that he would like for staff to look into the 100 foot buffer requirement because he sees this as a possibility to have businesses with road frontage.

Alderman Johnson suggested that this be a topic of discussion at the Board's retreat.

Omar Zinn, the property owner, addressed the Board and provided a history of the charrette process.

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

**A RESOLUTION PROVIDING BOARD INPUT ON THE SPECIFICS OF A PROPOSAL TO ESTABLISH A NEW MIXED USE RURAL-TRANSITION ZONING DISTRICT**

WHEREAS, in the winter of 2011, the Carrboro Board of Aldermen sponsored a design workshop to explore ways to implement the some of the recommendations of the Northern Study Areas Plan Implementation Review Committee (NSAPIRC); and

WHEREAS, in January of 2014, the Carrboro Board of Aldermen considered a proposal to model a new mixed use zoning district based on the existing Office-Residential Mixed Use Zone (OR-MU); and

WHEREAS, in June of 2014, Town staff presented the Board with a more specific proposal to establish a new mixed use zoning district, described as Mixed Use Rural-Transition (MURT); and

WHEREAS, the Board expressed interest in reviewing and providing input on specific elements of the potential new zoning district; and

WHEREAS, the Board asked staff to consult with the Chapel Hill Chamber of Commerce regarding the market for different types of commercial uses in the proposed new zoning district,

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

- 1) DRAFT A MURT ORDINANCE THAT HIGHLIGHTS THE DECISIONS THAT THE BOARD SHOULD CONCENTRATE ON.
- 2) PROVIDE A GRID THAT DISPLAYS EACH STAKEHOLDER AND THEIR STANCE.

This the 11th day of November, 2014

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

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

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### **REPORT ON POSSIBILITY OF FACILITATED DISCUSSION OF LLOYD FARM DEVELOPMENT APPLICATION**

The purpose of this item was for the Board of Aldermen to consider information provided regarding the possibility of mediation or a facilitated discussion for the Lloyd Farm development application and direct staff on whether to move forward with the process.

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

Alderman Gist stated that she is interested in this process and views it as the most effective way to come to a group decision. She suggested moving forward with the first phase of the process as proposed by the Dispute Settlement Center.

Alderman Johnson stated that she agreed with Alderman Gist's remarks. She also requested that the advisory board members be included as key informants in phase 1.



LeeAnn Nease Brown, the attorney representing the developer, spoke to the Board about the facilitated process and stated that they are happy to be part of that process. She stated that the developers are prepared to pay half the cost of the mediation process if the Town is willing to pay the remaining cost.

Alderman Chaney stated that she would like for the Town to be able to be at the table and requested that a text amendment be prepared to allow for the participation. She suggested reviewing the CUP process to consider adding a mediation process at the beginning and that this be used as a model for the future.

Alderman Haven-O'Donnell stated that she also agrees with the proposed process and that the Board should be involved.

Alderman Seils stated that he would like to find a way to honor the fact that multiple members of the community have been involved in this project, including substantial review by our advisory boards.

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN GIST TO DIRECT STAFF TO WORK WITH ANDY SACHS TO MOVE FORWARD WITH PHASE 1. VOTE: ALL IN FAVOR

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### **ZIP CODE BOUNDARY REVIEW PROCESS OVERVIEW**

The purpose of this item was to provide the Board of Aldermen an overview of the Zip Code Boundary review process and receive feedback on potential next steps.

Julie Eckenrode, the Assistant to the Town Manager, made the presentation to the Board.

Alderman Slade suggested an informal survey prior to initiating the formal survey.

Alderman Seils stated that he would like for the Board to clearly express the goals of a potential zip code change.

Alderman Haven-O'Donnell stated that some home businesses desire the 27516 zip code. She asked that the initial survey explain to recipients that they are residents of Carrboro.

Alderman Chaney suggested an online survey.

Alderman Seils suggested going through the homeowners' associations to get the word out.

Alderman Johnson asked if other municipalities have engaged in this process.

Mayor Lavelle asked how much it would cost to mail to a card to the individual addresses.

Alderman Gist stated that she would like to explore the most cost effective way to initiate a pre-survey.

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN GIST

DIRECT STAFF TO BRING BACK EXAMPLES OF OTHER CITIES THAT HAVE UNDERTAKEN THIS PROCESS AND THE COST ASSOCIATED WITH A PRE-SURVEY. VOTE: AFFIRMATIVE ALL

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**ROGERS ROAD CONTRIBUTION DISCUSSION**

Mike Brough, the Town's Attorney, asked for the Board's clarification regarding Rogers Road funding.

The Board stated that they do not have an interest in owning the community center building, the Town will not contribute any additional funds past what has been budgeted, and if sold, the Town would want to recoup the 14% contribution.

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**CLOSED SESSION**

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN GIST TO RECESS FOR A FIVE MINUTE BREAK THEN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS AN ECONOMIC DEVELOPMENT MATTER. VOTE: AFFIRMATIVE ALL

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**OPEN SESSION**

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE ALL

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS, TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL