



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

Town of Carrboro

Meeting Minutes

Town Council

Tuesday, June 2, 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 Damon Seils, Council Member Sammy Slade

Also Present: David Andrews, Town Manager; Cathy Dorando, Town Clerk; Nick Herman, Town Attorney

POETRY READING

Fred Joiner, the Town's Poet Laureate, read a poem by Thea Matthews called, "Protea Compacta."

PROCLAMATIONS

Mayor Lavelle proclaimed June as "Pride Month," June 5 as "Gun Violence Awareness Day," June 5-7 as "Wear Orange Weekend," and June 6 as "Trails Day."

COMMENTS ON THE MURDER OF GEORGE FLOYD

Mayor Lavelle read the letter that Chief Walter Horton had released in response to the killing of

George Floyd by the Minneapolis, MN Police Department.

Council Member Foushee read the names of Brianna Taylor, Ahmaud Arbery, and George Floyd and held a moment of silence in honor of their lives and the fight for justice for black lives everywhere.

APPROVAL OF MINUTES

MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY COUNCIL MEMBER GIST, TO APPROVE THE MINUTES OF MAY 19, 2020. VOTE: AFFIRMATIVE ALL

INDEPENDENT AUDIT CONTRACT FOR FISCAL YEAR ENDING JUNE 30, 2020

The purpose of this agenda item was to award a contract for the Town's annual independent audit for the fiscal year ending June 30, 2020.

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

A RESOLUTION AWARDING THE CONTRACT FOR INDEPENDENT AUDIT FOR FISCAL YEAR ENDING JUNE 30, 2020

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:

Section 1. The audit contract for the fiscal year ending June 30, 2020 is awarded to Dixon Hughes Goodman LLP for a total cost not to exceed \$60,900.00.

Section 2. The Mayor is authorized to sign the Audit Contract and Letter of Engagement as required by the North Carolina Local Government Commission.

Section 3. This resolution shall become effective upon adoption.

This the 2nd day of June, 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 Damon Seils, Council Member Sammy Slade

PUBLIC HEARING ON TOWN MANAGER’S RECOMMENDED BUDGET FOR FISCAL YEAR 2020-21

The purpose of this agenda item was for the Town Council to hold a public hearing on the Town Manager’s recommended budget for the upcoming fiscal year at required by G.S. 159-12 (b). Cary McNallan, the acting Finance Director, provided the report.

Staff was asked to earmark funds for criminal justice debt relief fund for Carrboro residents and to make human services the priority in all budget expenditures.

Mayor Lavelle opened the public hearing.

Kimberly Sanchez, the director of Community Home Trust, thanked the Council for their support and requested funding for the following fiscal year.

Mayor Lavelle closed the public hearing.

PUBLIC HEARING ON TEXT AMENDMENTS TO THE LAND USE ORDINANCE RELATING TO RESIDENTIAL USES IN THE B-1(C) DISTRICT

The purpose of this item was for the Town Council to consider proposed amendments to the Land Use Ordinance relating to residential uses in the B-1(c) Zoning District.

Tina Moon, the Town’s Planning Administrator, provided the staff report.

Heather Ferrell, with Jim Spencer Architects, provided the applicant report.

Richard Turlington, representing the applicant, spoke about similar projects and anticipated need for senior housing in Carrboro.

Mayor Lavelle opened the public hearing.

Quinton Harper asked about the long term impacts of the neighborhood in response to this term development.

Cherie Rosemand spoke in support of this project and the increase in senior housing.

George Barrett stated that the neighborhood has been spreading the word and will continue conversations as housing becomes available.

Mayor Lavelle closed the public hearing.

A motion was made by Council Member Seils, seconded by Council Member Foushee, to approve the following resolution:

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE TOWN
COUNCIL'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: A LAND USE ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO RESIDENTIAL USES IN THE B- 1(C) DISTRICT.

NOW, THEREFORE, the Town Council of the Town of Carrboro Resolves:

Section 1. The Council has reviewed the draft amendment to the text of the Land Use Ordinance and concludes that the proposed amendment is:

Consistent with adopted plans such as *Carrboro Vision2020*, particularly the provisions to support the wellbeing of special and vulnerable populations and provide housing for a diverse population, and Goal 1.1 and 1.2 in the Town's Affordable Housing Goals and Strategies, to increase the number of homeownership units that are permanently affordable and to allow for increased density for affordable housing purposes.

Section 2. The Town Council's action is reasonable and in the public interest for the following reason(s):

The proposed text amendment is reasonable and consistent with the public health, safety and welfare by furthering the Town's efforts toward providing housing for all of its citizens.

Section 3. Therefore, the Carrboro Town Council has: approved the proposed amendment to the text of the Carrboro Land Use Ordinance.

Section 4. This resolution becomes effective upon adoption.

This the 2nd day of June, 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 Damon Seils, Council Member Sammy Slade

A motion was made by Council Member Seils, seconded by Council Member Foushee, to approve the following ordinance:

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING
TO RESIDENTIAL USES IN THE B-1(C) DISTRICT
Ordinance No. 19/2019-20**

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. Section 15-160.1 of the Carrboro Land Use Ordinance is rewritten to read as follows:

Section 15-160.1 Residential Uses in B-1(c)

(a) Residential uses are not allowed on the ground floor of property within a B-1(c) district.

(b) Notwithstanding the foregoing, residential uses are allowed on the ground floor in the B-1(c) district when (i) the property is less than 10,000 square feet, (ii) the preexisting land use is residential, (iii) the development creates no more than four dwelling units, and (iv) every dwelling unit is an affordable housing unit pursuant to Subsection 15-182.4(b) of this chapter. Residential developments permitted by this section, shall not be eligible for a density bonus for providing affordable units under 15-182.4(i).

Section 2. Section 15-185.1(c) (Downtown Neighborhood Protection Overlay District Requirements) is amended by adding a fourth provision to read as follows:

(4) Notwithstanding the foregoing, if more than one building is constructed pursuant to Section 15-160.1(b) and the residentially zoned property is within the Lloyd/Broad Overlay District no separation between buildings shall be required.

Section 3. Section 15-204 (Downtown Livability Area and Urban Living Amenities) is amended by adding a new subsection (e) to read as follows:

(e) Notwithstanding the foregoing, when property is developed pursuant to Section 15-160.1(b) the dollar value of urban amenities, required by Subsection 15-204(d)(2) may be reduced to 3.5 percent of the assessed value of the land that constitutes the development site.

Section 4. Section 15-178 (Architectural Standards for Downtown Development) is amended by adding a new subsection (c) to read as follows:

(c) Residential projects in the B-2 district, or the B-1(c) and B-1(g) districts subject to the DNP Overlay District in Section 15-185.1, where every dwelling unit is an affordable unit, as defined in Section 15-182.4(b), may volunteer to adhere to the Village Mixed Use & Affordable Housing Vernacular Standards in Appendix L.

Section 5. Section 15-309 (Flexibility in Administration Required) is amended by adding a fourth provision in subsection (b) to read as follows:

(4) For use classification 1.320 constructed pursuant to 15-160.1(b) by allowing a less stringent street right-of-way screening.

Section 6. Subsection 15-319(1)(b) is rewritten to read as follows:

(b) Modifications to Canopy Coverage Standards

- (1) The permit issuing authority may approve a development application that does not fully comply with the canopy coverage standards when it finds that the application substantially complies with these standards and that such a deviation enables the development to better achieve other Town objectives, such as the promotion of solar access to encourage active and passive solar technology for water and space heating and renewable energy generation, improved stormwater management, and the preservation of established managed landscapes, or established streetscapes, and the development of affordable housing under 15-161.1(b).
- (2) Modifications for canopy coverage standards may be approved for the development of affordable housing under Subsection 15-161.1(b) so long as the application provides for an increase in canopy coverage by at least double.

Section 7. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 8. This ordinance is effective upon adoption.

This the 2nd day of June, 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 Damon Seils, Council Member Sammy Slade

UPDATE ON COVID-19 AND RECOVERY PLANNING

The purpose of this item was to provide an update to the Town Council on the status on of the emergency and the recovery planning process.

Fire Chief Schmidt provided an update on the status of the COVID-19 emergency and Orange County associated data. He was asked to:

- Look into whether data could be provided by looking into the additional four that is added at the end of the 27516 zip code
- Ask the Orange County Health Director to review the impact of the rate of transmission and how that compares to the region.
- Encourage racial diversity in the testing team to maximize access to minority communities.
- Look into whether housing for persons testing positive can be used so that they can quarantine away from their homes.

- Examine if testing data and percent positives in congregate living facilities can be separate from general public.

DISCUSSION OF HOW COVID-19 IS DISPROPORTIONATELY AFFECTING BLACKS, LATINOS, AND OTHER UNDERSERVED AND MARGINALIZED COMMUNITIES

The purpose of this agenda item was for the Council to discuss how COVID-19 is disproportionately affecting Blacks, Latinos, and other underserved and marginalized communities. In addition, identify solutions that can be integrated in the recovery efforts and provide relief to vulnerable populations in Carrboro and Orange County.

Anita Jones-McNair, the Town's Recreation and Parks Director and Race and Equity Officer, introduced the item.

Vicky Cruz an employee with the economic development department with El Centro stated that female and male workers have a very extreme and complex situation because even when they are essential workers, and vulnerable, the government does not see us. Her labor force has been very reduced. She said they have had the opportunity to apply for two grants and they received those. Some money was allocated for rent, food, and for other services such as utilities. The employees are not just supporting the families in the United States but also supporting entire families in their home countries. She asked for additional help for the employees because there are no jobs.

Stephany Morales stated that access to COVID-19 information in Spanish is not readily available and that many in the Latinx community work. She spoke about the impact this is having on the Hispanic community and the need for food, rental, and utility assistance.

Dolcia Morales, representing the Hispanic community in Carrboro, she has been feeling stress, anxiety, and fear because of having to stay at home but her husband has to go out and work. She stated that some friends have had a really hard time because they have not been working and they are not able to pay her rent. The resources that are provided they are not able to use because they do not have a social security number but they do have a tax-id and pay taxes but tax-ids are not accepted.

Quinton Harper spoke about the systemic oppression and racism that is prevalent in America and the many threats that black Americans and people of color face. He asked whether the Town has gone to the community to hear from them on how this is hurting people and allow everyone to have meaningful participation. He asked about what is local government's new normal.

Maria Julia Echart spoke about the impact of COVID-19 on the Hispanic community and the increase of mental health needs, child abuse, and substance abuse during the stressful times.

Elizar Posada asked for the Town to think about ways to send information out that is outside of the box.

After Town Council discussion, it was decided that each Council Member provide their priorities for action to Council Member Foushee for inclusion in the agenda packet for discussion at the next Town Council meeting.

CONSIDERATION OF REQUEST TO SPONSOR CARRBORO UNITED LOCATING AT CARRBORO HIGH SCHOOL

The purpose of this agenda item was to provide the Town Council with an opportunity to consider a request for the Town to sponsor Carrboro United locating its food pick-up service at Carrboro High School.

Betsy Bertram, interim Economic Development Director, provided the staff report.

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL, TO SUPPORT THE REQUEST TO SPONSOR CARRBORO UNITED LOCATING AT CARRBORO HIGH SCHOOL. VOTE: AFFIRMATIVE ALL

INCREASED OUTDOOR DINING SPACE AND OTHER ACTIONS TO SUPPORT BUSINESSES OPENING UNDER SOCIAL DISTANCING REQUIREMENTS

The purpose of this agenda item was to provide the Town Council with information on actions that could be taken to support phased opening as COVID-19 related restrictions on business operations are eased.

MOTION WAS MADE BY COUNCIL MEMBER SEILS, SECONDED BY COUNCIL MEMBER SLADE, TO SUPPORT PHASES 1 AND 2 OF THE PRESENTED POSSIBLE PHASED ACTIONS TO SUPPORT BUSINESS OPENINGS WITH SUPPORT FOR THE MAYOR TO ISSUE EMERGENCY ORDERS, IF NECESSARY, TO IMPLEMENT MEASURES PURSUANT TO PHASES 1 AND 2. VOTE: AFFIRMATIVE ALL

ADJOURNMENT

MOTION WAS MADE BY COUNCIL MEMBER FOUSHEE, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL, TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL

Town Clerk

Mayor