



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

**Tuesday, January 12, 2016**

**7:30 PM**

**Board Chambers - Room 110**

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

**Absent:** Alderman Damon Seils

**Also Present:** David Andrews, Town Manager, Catherine Wilson, Town Clerk, Bob Hornik, Town Attorney

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### **BOOK HARVEST PROCLAMATION**

Mayor Lavelle proclaimed Monday, January 18<sup>th</sup> as “Book Harvest Dream Big Book Drive Day” in Carrboro.

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### **APPROVAL OF PREVIOUS MEETING MINUTES**

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF NOVEMBER 24, 2015, AS AMENDED, AND DECEMBER 1, 2015. VOTE: AFFIRMATIVE ALL, ABSENT ONE (SEILS)

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### **A REQUEST TO ADOPT A RESOLUTION TO DECLARE POLICE K9 KARMA SURPLUS PROPERTY AND AWARD RETIRED POLICE K9 KARMA TO HANDLER SERGEANT CHARLES HOBBY**

Due to his age, and health issues, Sergeant Charles Hobby's K9 partner Karma, will retire after seven years of service to the Carrboro Police Department, and the Town of Carrboro.

**A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.**

### **K-9Retirement**

**WHEREAS, K-9 Karma is owned by the Town of Carrboro; and**

**WHEREAS**, K-9 Karma has faithfully served the Town and its citizens for 7 years; and

**WHEREAS**, K-9 Karma will retire from his position as Police Canine effective January 12, 2016; and

**WHEREAS**, the Mayor and Board of Aldermen, by this resolution, wish to express its great appreciation to K-9 Karma for service, loyalty, and dedication to the Town of Carrboro;

**NOW THEREFORE, BE IT RESOLVED** that the Town of Carrboro in accord with North Carolina General Statute 160A-266 declares K-9 Karma to be surplus property upon retirement from service and authorizes his assigned handler, Charles Hobby, to take ownership of K-9 Karma upon his execution of a hold harmless agreement to provide proper care for the dog for the remainder of the life of the animal By executing that agreement Charles Hobby will assume all liability and responsibility for the dog.

**This the 12<sup>th</sup> day of January, 2016**

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

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

**Nay:** 0

**Absent:** Alderman Seils

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**A REQUEST TO ADOPT A RESOLUTION TO DECLARE A K9 VEHICLE KENNEL AS SURPLUS AND DONATE THE SURPLUS PROPERTY TO THE TOWN OF WALLACE**

The purpose of this item was for the Board of Aldermen to declare a K9 vehicle kennel as surplus property and donate the kennel to the Town of Wallace, pursuant to NCGS §160A-280.

**A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.**

**A RESOLUTION APPROVING DONATION OF PROPERTY TO THE TOWN OF WALLACE PURSUANT TO G.S. 106A-280**

WHEREAS, North Carolina General Statute §160A-280 authorizes a city or county to donate to a government entity any personal property, including supplies, materials and equipment that the governing board deems to be surplus, obsolete or unused; and

WHEREAS, The Town of Carrboro owns a K9 vehicle kennel; and

WHEREAS, the K9 vehicle kennel is obsolete and has been declared surplus property; and,

WHEREAS, the Town of Wallace has expressed interest in acquiring this K9 vehicle kennel;

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen hereby authorizes the Town Manager to execute all documents necessary to donate the K9 vehicle kennel to the Town of Wallace.

**This the 12<sup>th</sup> day of January, 2016**

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

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

**Nay:** 0

**Absent:** Alderman Seils

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**RESOLUTION REGARDING SESSION LAW 2015-294**

The purpose of this item was for the Board to review and adopt a resolution clarifying the Town of Carrboro's intention to interpret and apply Town policies regarding immigration documentation and law enforcement consistent with State law.

**A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.**

**A RESOLUTION CONFIRMING AND CLARIFYING TOWN OF CARRBORO  
POLICY REGARDING PERSONS' IMMIGRATION STATUS**

WHEREAS Session Law 2015-294 "An Act To Require E-Verify Compliance In Certain Governmental Contracts, To Provide That Certain Consulate Or Embassy Documents May Not Be Used To Determine A Person's Identification Or Residence For Governmental And Law Enforcement Purposes, To Prohibit Adoption Of Sanctuary City Ordinances, And To Prohibit The Department Of Health And Human Services From Seeking Certain Waivers" was ratified on September 29, 2015 and approved on October 29, 2015, and

WHEREAS Section 11 of Session Law 2015-294 expressly repealed any local government policy regarding the acceptability of matricula consular or other similar documents issued to establish the identity or residency of any person that contradicts Section 11; and

WHEREAS Section 15.(b) of Session Law 2015-294 amended N.C. Gen Stat. 160A-499.4 to limit and in some instances prohibit local governments from adopting policies and otherwise acting in certain ways with respect to enforcement of immigration laws and gathering information with respect to immigration status.

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF CARRBORO BOARD OF ALDERMEN that all policies adopted by the Town of Carrboro will be interpreted and applied consistent with the requirements of Session Law 2015-294.

**This the 12<sup>th</sup> day of January, 2016**

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

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

**Nay:** 0

**Absent:** Alderman Seils

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**A RESOLUTION AMENDING THE BOARD'S 2016 MEETING CALENDAR**

The purpose of this item was to amend the calendar that was originally adopted on December 1, 2015.

**A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.**

A RESOLUTION AMENDING THE PREVIOUSLY ADOPTED 2016 MEETING CALENDAR

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

Section 1: The following meetings are hereby cancelled:

1. October 4, 2016 for the observance of Rosh Hashanah
2. October 11, 2016 for the observance of Yom Kippur

Section 2: The following meeting is hereby scheduled:

The Board of Aldermen desires to schedule the following additional meeting in 2016:

1. October 5, 2016

Section 3. This resolution becomes effective upon adoption.

**This the 12<sup>th</sup> day of January, 2016**

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

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

**Nay:** 0

**Absent:** Alderman Seils

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**UPDATE ON STORMWATER AND FLOODING**

The purpose of this item was to provide the Board of Aldermen an update on various storm water and flooding issues in relation to recent rain events.

JD Freeman, the Town's Public Works Director, made the staff presentation.

Henry Wells with Sungate Design presented the FEMA flood map information along with possible changes to the Board.

Trish McGuire, the Town's Planning Director, provided background information on previous discussions and policies of the Board regarding flooding.

Havala Pye, a resident of Quarter Path Trace and a member of the HOA Board, stated that she is interested in knowing the process to get a solution. She stated that she will work with Town staff and be involved in the process.

The Board asked staff to:

- 1) Look into historical data from OWASA and the University on rain totals and flooding
- 2) Compare the flooding data by season and months (gauge on Tom's Creek)
- 3) Work with OWASA on possible solutions
- 4) To provide the Board with a copy of the updated chronology shown by Trish McGuire
- 5) To engage with HOA's regarding flooding issues and act as a resource to review the HOA's documents to see what their responsibilities are
- 6) Include the 1984 drainage policy on the Town's website and offer an open-house meeting with folks that have experienced flooding to explain the policy
- 7) Report back on the hydrology study
- 8) Provide scenarios of cost sharing highlighting what the Town can expend funds on per North Carolina Law.
- 9) Look at updating policies regarding building in flood plains
- 10) Compile a list of resources that are available, including financial
- 11) Serve as a clearinghouse for methods to assist citizens and HOAs
- 12) Develop a systematic community engagement plan by the end of May

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN SLADE TO AUTHORIZE THE TOWN STAFF TO PROCEED WITH STEPS TO COMPLETE A HYDROLOGY STUDY, TO EXPAND THE STUDY TO INCLUDE RECENTLY IMPACTED AREAS SUCH AS QUARTER PATH TRACE IN THAT STUDY, AND FOR STAFF TO ACT AS A RESOURCE FOR HOA'S REGARDING THEIR RESPONSIBILITIES. STAFF SHOULD REPORT BACK ON A TIMELINE FOR WHEN THE HYDROLOGY REPORT WILL BE COMPLETED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)

Alderman Gist asked for Town staff to have conversations with Chapel Hill and OWASA and consider this as an item on the next Assembly of Government Meeting. Alderman Chaney asked that the school systems also be contacted.

Alderman Gist asked to draft a letter to state and federal representatives regarding increasingly being faced with flooding that is a direct result of climate change. She stated the letter should request assistance regarding best practices funding for analyzing the problem and for any solutions. Alderman Slade asked that the letter be sent to Duke Energy asking them for financial assistance. He also asked staff to keep considering the possibility of a storm water utility.

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### **CONSIDERATION TO ALLOW A MURAL TO BE PAINTED ON THE NORTH FACING WALL OF FIRESTATION 1**

The purpose of this agenda item was to consider allowing artist, Matthew Willey, to paint a mural on the north facing wall of the Firestation 1 as a part of a larger effort to bring attention and raise awareness to the plight of the Honey Bees.

Annette Stone, the Community and Economic Development Director, made the staff presentation and

introduced the artist, Matthew Willey.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN SLADE FOR STAFF TO PROCEED WITH THE PROJECT DEVELOPMENT ON FIRE STATION 1. THEY ALSO ASKED FOR THE APPROVAL PROCESS OF THE DESIGN TO BE AS SIMPLE AS POSSIBLE AND FOR THE PROJECT TO BE PROVIDED FOR INFORMATIONAL PURPOSES AT THE NEXT JOINT REVIEW MEETING, TO THE ARTS COMMITTEE AND TO THE APPEARANCE COMMISSION. VOTE AFFIRMATIVE SIX, ABSENT ONE (SEILS)

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### **DISCUSSION ON CREATING AN AFFORDABLE HOUSING COMMITTEE**

The purpose of this item was for the Board to consider changing the Affordable Housing Task Force into a permanent Affordable Housing Committee.

Nate Broman-Folks, an assistant to the Town Manager, made the staff report.

Alderman Gist stated that she would like to see some rotation on the current taskforce's membership. She stated that she would like to see representation from the Human Services Advisory Board and the Economic Development Commission.

Alderman Johnson stated that her experience with the TAB representation has been used as a resource but has not been a philosophical conversation.

Alderman Chaney summarized the work of the taskforce and the request to be a standing committee.

Alderman Haven-O'Donnell stated that it would be valuable to add a seat of someone that lives in affordable housing.

Alderman Chaney stated that the item can be brought back in the future with language that more clearly defines the work of the group.

Alderman Slade stated that it would be helpful to see the tasks that still need to be addressed by the Affordable Housing Task Force.

### **CLOSED SESSION**

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO ENTER INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (A)(3). VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)

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### **OPEN SESSION**

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON TO

ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN JOHNSON TO  
ADJOURN THE MEETING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SEILS)